



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

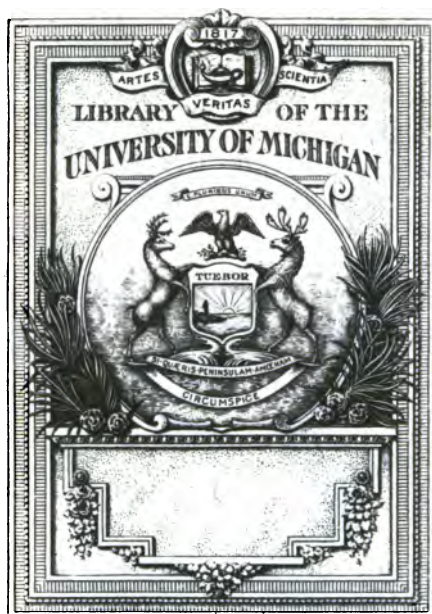
We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

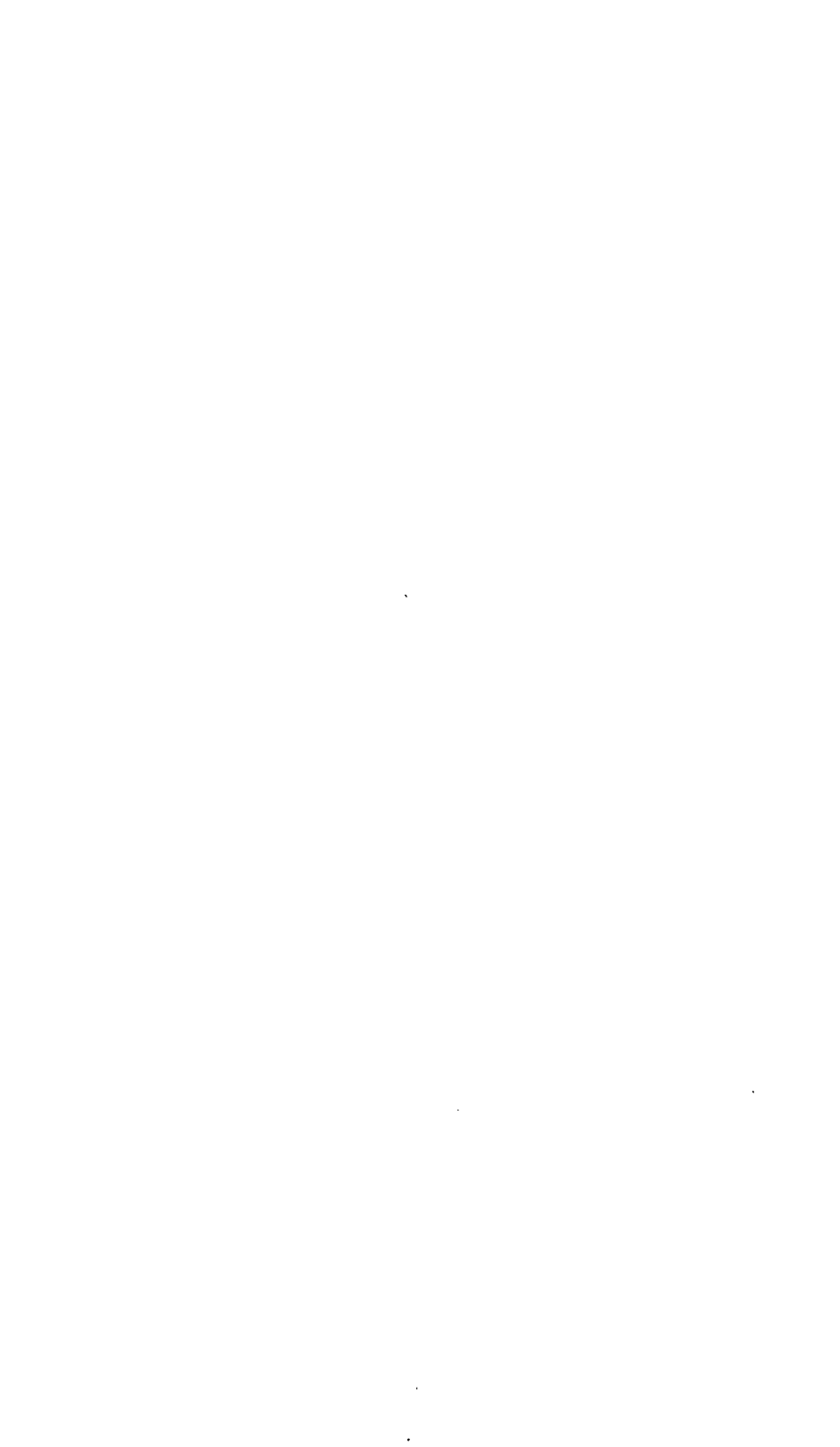
B 50874 9



J

87

.m56



15007

JOURNAL
OF
THE SENATE



OF THE
STATE OF MICHIGAN.

EXTRA SESSION, 1864.

Printed by virtue of an Act of the Legislature, under the direction
and supervision of

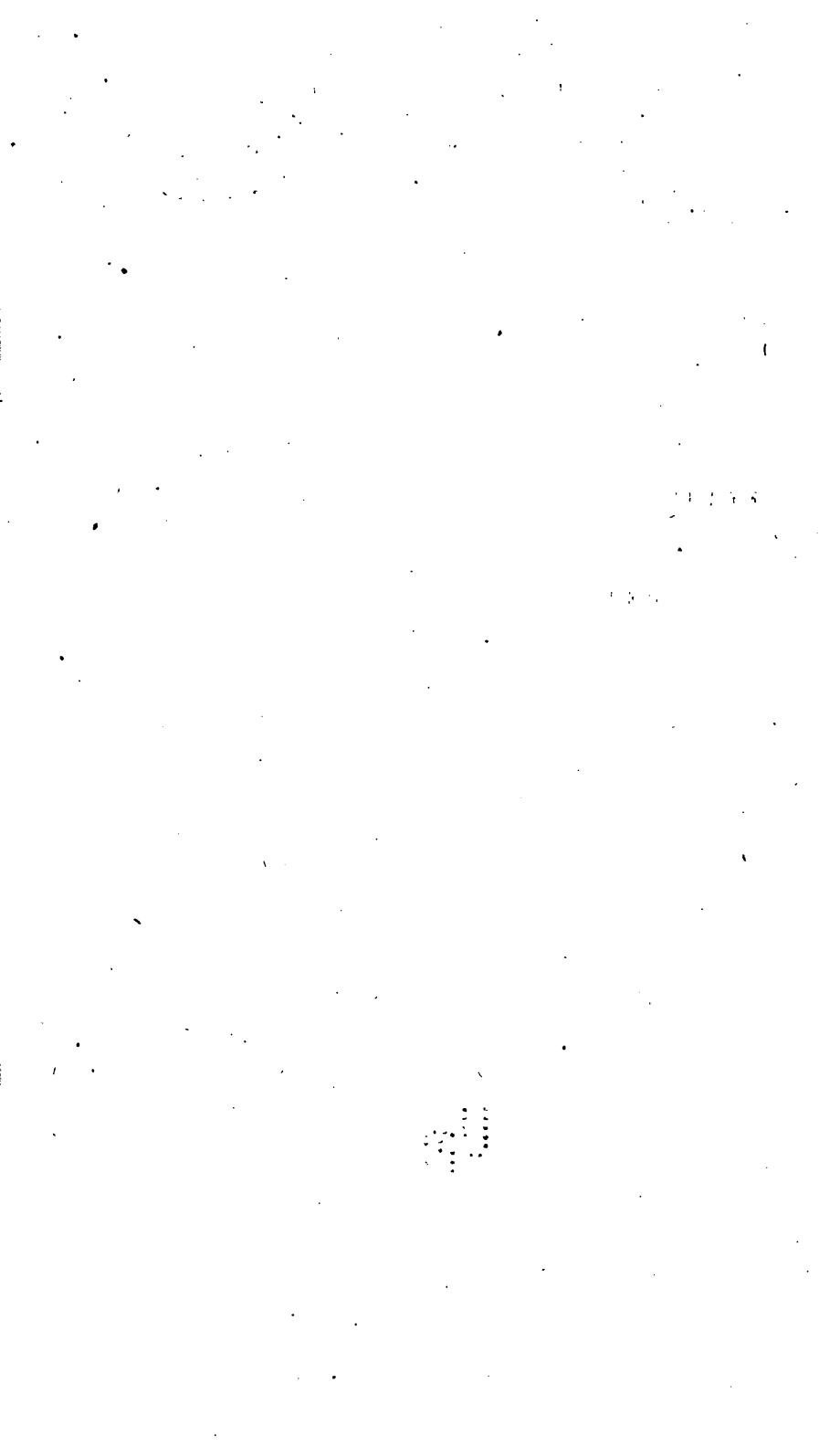
WILLIAM A. BRYCE,
SECRETARY OF THE SENATE.



By Authority.

LANSING:
JOHN A. KERR & CO., PRINTERS TO THE STATE.

1864.



SENATE JOURNAL,

EXTRA SESSION, 1864.

Lansing, Tuesday, January 19, 1864.

Pursuant to a Proclamation of the Governor of the State of Michigan, the Senate thereof convened in the Senate Chamber of the Capitol, in Lansing, at 12 o'clock M., on this day.

The Senate was called to order by Hon. Charles S. May, Lieutenant Governor and President of the Senate.

Prayer by Rev. Mr. Meyer.

The Secretary called the roll of the Senate, and the following named Senators answered to their names:

Messrs. Adair, Babcock, Blackman, Buell, Clark, Crapo, Crosswell, Divine, Dow, French, Grosvenor, Hewett, Humphrey, Jay, Jerome, Lamb, Landon, Monroe, Wait, Watkins.

The proclamation of the Governor was read by the Secretary, as follows:

PROCLAMATION.

Whereas, The President of the United States, by his proclamation, of the date of the 17th October last, has called upon the Governors of the different States to raise and have enlisted into the United States service, for the various companies and regiments in the field from their respective States, their quotas of three hundred thousand men;

And whereas, It has been judged necessary by many of the counties, towns and cities of this State, that provision should be made for the payment of bounties to volunteers, by such counties, towns, and cities, to enable them to fill their several quotas with volunteers, and that further legislation is necessary, in order to give full faith and credit to the acts and obligations of such municipal bodies;

Therefore, believing that such an extraordinary occasion exists, as is contemplated by the Constitution, I, Austin Blair, Governor of the State of Michigan, in virtue of the power vested in me by the Constitution, do convene the Legislature of this State, hereby requiring the Senators and Representatives to assemble in their respective Chambers, at the Capitol, in Lansing, on Tuesday, the 19th day of January next, at twelve o'clock, noon, then and there to consider and determine upon the measures proper to be adopted in regard to the payment of such bounties to volunteers, and the legalization of acts already done for that purpose, and all such other subjects as may be brought before the Legislature in pursuance of the Constitution.

In testimony whereof, I have hereunto set my hand, and caused to be affixed the Great Seal of the State,
[L. s.] at Lansing, this 15th day of December, in the year of our Lord one thousand eight hundred and sixty-three.

By the Governor:

AUSTIN BLAIR.

JAMES B. PORTER, Secretary of State.

A committee from the House appeared and announced that the House was organized and ready to proceed to business.

Mr. Grosvenor moved that a committee of two be appointed to wait upon the House of Representatives and inform that body that the Senate is organized and ready to proceed to business;

Which motion prevailed.

The President appointed, as such committee, Senators Grosvenor and Clark, who, after a short absence, reported their duty discharged.

Mr. French moved that a committee of two be appointed on the part of the Senate, to act with a like committee on the part of the House, to wait upon the Governor and inform him that the two Houses are organized and ready to receive any communication he may be pleased to make;

Which motion prevailed.

The President appointed, as such committee, Senators French

and Hewett, who, after a short absence, reported that duty discharged; and further, that it would be the pleasure of the Governor to communicate in person with the two Houses, in joint convention, at half-past two o'clock this afternoon.

Mr. Babcock moved that the daily sessions of the Senate commence at 10 o'clock A. M., until otherwise ordered;

Which motion prevailed.

The President announced the following

COMMUNICATION FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }
Lansing, January 19, 1864. }

To the President of the Senate:

SIR—I am directed to inform the Senate that Representatives Read and Winans have been appointed a committee on the part of the House to act with a like committee on the part of the Senate, to wait upon the Governor, and inform him that the two Houses are now organized, and ready to receive any communication he may desire to make.

Very respectfully,

N. B. JONES,

Assistant Clerk of the House of Representatives.

The message was laid on the table.

On motion of Senator Babcock,

The Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock.

Roll called: a quorum present.

The President announced the following

COMMUNICATION FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }
Lansing, January 19, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That the two Houses of the Legislature will meet in joint convention to receive the message of the Governor at 2½ o'clock P. M., of this day;

In which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The message was laid on the table.

On motion of Mr. Warner,

The Senate concurred.

Mr. Buell offered the following:

Resolved, That 300 copies of the daily journals of the Senate and House of Representatives be ordered printed for the use of the Senate;

Which was adopted.

A committee from the House of Representatives appeared and announced that that body is in session and ready to meet the Senate in joint convention to receive a communication from the Governor.

On motion of Mr. French,

The Senate proceeded in a body to the Hall of the House of Representatives, and met that body in joint convention.

[For proceedings in joint convention see House journal.]

The Senate returned to the Senate Chamber, when the President announced that the two Houses had met in joint convention and received a message from the Governor.

The President announced the following

COMMUNICATION FROM THE OTHER HOUSE.

HOUSE OF REPRESENTATIVES, }
Lansing, January 19, 1864. }

To the President of the Senate:

SIR—I am directed to transmit to the Senate the enclosed copy of the Governor's message, delivered this day to the two Houses in joint convention.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

Mr. Jay moved that 1,000 copies of the Governor's message be ordered printed for the use of the Senate;

Which motion prevailed.

Mr. Groswell offered the following:

Resolved, That a special committee of three be appointed to report and recommend a proper division and reference of the subjects embraced in the Governor's message;

Which was adopted.

The President appointed, as such committee, Senators Groswell, Lamb and Landon.

On motion of Mr. Grosvenor,

The Senate adjourned.

Lansing, Wednesday, January 20, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Roll called: a quorum present.

PRESENTATION OF PETITIONS.

By Mr. Grosvenor: petition of supervisors of Hillsdale county, in relation to bounties to volunteers;

Referred to the select committee on bounties.

By Mr. Clark: memorial of the town board of the town of Iosco, Livingston county, in relation to bounties to volunteers;

Referred to the same committee.

By Mr. Divine: resolution of the board of supervisors of Montcalm county, relative to bounties to volunteers;

Referred to the same committee.

By Mr. Dow: petition of Nathan Cole and 89 others, taxpayers of West Bloomfield, Oakland county, praying that their war bonds may be legalized;

Referred to the same committee.

By Mr. Jerome: resolutions of the board of supervisors of Saginaw county, relative to bounties;

Also, resolutions of the board of supervisors of Midland county, relative to bounties;

Referred to the same committee.

By Mr. Monroe: resolutions of the board of supervisors of Branch county, relative to bounties to volunteers;

Also, petition of the resident citizens of the township of Sherwood, Branch county, praying for the passage of an act legalizing the action of said township in raising bounties for volunteers;

Referred to the same committee.

By Mr. Crapo: petition of A. M. Felt and 59 others, relative to bounties;

Also, petition of John J. Gordon and 23 others, relative to bounties;

Referred to the same committee.

REPORTS OF SELECT COMMITTEES.

By the select committee on the division and reference of subjects contained in the Governor's message:

The special committee to whom it was referred, by a resolution of the Senate, to report and recommend an appropriate reference of the different subjects embraced in the Governor's message, would respectfully report that they have considered the same, and recommend:

That so much of said message as relates to the legalization of the action of towns and counties in raising bounties for volunteers, be referred to a select committee of five;

That so much as relates to the passage of a law enabling our soldiers in the field to vote, be referred to a special committee of five;

That so much as relates to the amendment of the law providing for the payment of a State bounty, be referred to the committee on finance;

That so much as relates to the construction of a military road from Wilkins to Green Bay, be referred jointly to the committees on public lands and roads and bridges; and

That so much as relates to an appropriation for the purchase

and construction of a National Cemetery at Gettysburg, be referred jointly to the committees on finance and State affairs.

C. M. CROSWELL,

J. M. LAMB,

R. W. LANDON,

Committee.

The report was accepted, and the committee discharged.

Mr. Warner moved that the report be adopted.

Mr. Babcock moved to amend the report, in the clause relating to the voting of soldiers, by striking out the words "a select committee of five," and inserting the words "the judiciary committee;"

Which motion did not prevail.

The report was adopted.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Buell offered the following:

Resolved, That 5,000 copies of the Governor's Message be printed, and delivered to the Adjutant General for distribution amongst the Michigan regiments now in the field;

Which was adopted.

Mr. Fowler gave notice that at some future day he would ask leave to introduce

A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections 45 and 61 of chapter 6, of the compiled laws; and to amend act 177, of the session laws of 1859, by changing the No. of section 30, and adding a new section thereto.

Mr. Clark offered the following:

Whereas, It is stated that Hon. S. W. Fowler has received, and now holds, an office under the United States, which office is reported to be that of Commissioner under the conscription act, so-called, for the Third Congressional District; therefore, it is

Resolved, That a reference be made to the proper committee, by the President, whose duty it shall be to examine and report

to this Senate whether Hon. Smith W. Fowler now holds any office under the United States, by reason of which he has vacated his seat in this Senate, or become ineligible to have the same; and that said committee have full power to send for and examine all necessary witnesses and papers material or necessary, for a proper investigation in the premises.

Mr. Lamb moved to amend the resolution by striking out the words "the proper," and inserting the words "a select" in lieu thereof;

Which amendment was accepted.

The resolution, as thus amended, was adopted.

The President appointed, as such select committee, Senators Clark, Blackman and Croswell.

On motion of Mr. Landon,

Leave of absence, for an indefinite time, was granted to Senator Corbin, on account of sickness.

Mr. French offered the following;

Resolved, (the House concurring,) That the committees to whom the various subjects embraced in the message of the Governor have been referred, be authorized to act with like committees from the House, as joint committees, and be instructed to report bills to the respective Houses, with all convenient dispatch, to carry into effect the recommendations therein contained;

Which was adopted.

Mr. Landon offered the following:

Resolved, That the resident officiating Clergy of the city of Lansing, be respectfully invited to open the daily sessions of the Senate with prayer;

Which was adopted.

On motion of Mr. French,

The Secretary of the Senate was instructed to notify the resident clergymen of Lansing of the adoption by the Senate of a resolution requesting them to open its daily sessions with prayer.

Mr. Clark offered the following:

Resolved, That the State Printer is directed to transmit, by mail or otherwise, to the publisher of each newspaper published in this State, one copy each of the Governor's message and the reports of the State officers, and of the journals, daily, of this body, and also of all reports of committees;

Which was adopted.

The President announced the following

MESSAGE FROM THE GOVERNOR:

EXECUTIVE OFFICE,
Lansing, January 20, 1864. }

To the Senate and House of Representatives:

I herewith transmit the memorial of the Board of Control of the State Reform School, asking for an appropriation of two thousand dollars, to secure a sufficient supply of water for that Institution, by means of an Artesian well, and recommend that the appropriation be made.

Also, the memorial of citizens of Van Buren county, requesting the passage of an act authorizing the township of South Haven, and other townships in the counties of Van Buren and Allegan, to issue bonds to aid in the improvement of the harbor at the mouth of South Black River, which I also recommend.

AUSTIN BLAIR.

On motion of Mr. Grosvenor,

The memorial of the Board of Control was referred to the standing committee on Reform School.

On motion of Mr. Blackman,

The memorial of the citizens of Van Buren county was referred to the committee on internal improvements.

On motion of Mr. French,

The Senate went into executive session.

The executive session closed.

On motion of Mr. Warner,

The Senate took a recess for 30 minutes, at the expiration of which time,

The Senate was called to order by the President.

Roll called: a quorum present.

The President announced the appointment of select committees as follows:

Select Committee on Bounties—Senators Crapo, Grosvenor, Lamb, Landon and Hewett.

Select Committee on Soldiers' Suffrage—Senators Crosswell, Fowler, French, Clark and Warner.

On motion of Mr. Robison,

The Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock P. M.

Roll called; a quorum present.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES. }
Lansing, January 20, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following concurrent resolution:

Resolved, (The House concurring,) That the committees to whom the various subjects embraced in the message of the Governor have been referred be authorized to act with like committees from the House, as joint committees, and be instructed to report bills to the respective Houses with all convenient dispatch to carry into effect the recommendations therein contained;

In the passage of which the House has concurred.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 20, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That the Secretary of State be requested to forward two hundred and fifty copies of the Governor's message to each regiment, and fifty copies to each battery, of the Michigan volunteers now stationed in other States,

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. French,

The Senate concurred.

ANNOUNCEMENT OF THE DEATH OF SENATOR ROBERTSON.

Senator Croswell addressed the Senate as follows:

MR. PRESIDENT:—The late session of this Senate had just terminated, and each of us had retired to his home, and was quietly pursuing the ordinary avocations of life, when the telegraph suddenly flashed upon us the painful intelligence that a recognized leader, an enlightened counselor, and an accomplished member of this body, had departed from us forever. Andrew S. Robertson, Senator from the Fourth District, died at his home, in the village of Mount Clemens, on the night of the 24th of March last. During his rest he was attacked by disease of the heart, and suddenly, without pain to himself, without alarm to those about him, the brittle thread of life was severed, and his spirit passed from this world to another.

A native of England, of Scottish ancestry—claiming kinship with the illustrious historian of the same name—he early imbibed that ardent love of liberty, that restless spirit of inquiry, and that fondness for the grand and beautiful, that so eminently characterize the sons of Scotland.

His father having proved unsuccessful in business, came with his family to this country, and our late associate, in the freshness of youth, without fortune or influential friends, and with only the rudiments of a common school education, found himself on the shores of the new world, and prepared by his own innate energy, to carve his way to success.

For a time he literally obeyed the divine injunction, and earned his bread by the sweat of his brow.

Naturally possessing a high order of intellect, he cultivated it by careful study and discipline, and enriched and adorned it by a familiarity with history, poetry, and the best literature in our language.

Having resolved to follow the law, he maintained himself by teaching school, and at intervals during his leisure, studied and mastered that honorable profession.

Admitted to the bar, he soon took front rank among his associates, and rapidly obtained a large and extensive practice. Indeed, I am informed that for ten years preceding his death, scarcely a suit had been tried in his county in which he was not engaged on the one side or the other.

His public life commenced in 1850. The people of this State had resolved to change its organic law, and they naturally cast about for men of talent and ability to compose the constitutional convention. The men of Macomb county, in my judgment, very appropriately selected him for that position. Although one of the youngest of the members of that convention, he participated largely in its proceedings and debates, and won for himself the respect and confidence of all with whom he was there associated. He was subsequently elected a member of this Senate.

With a clear, logical mind, calm and self-possessed, fluent in language, apt in illustration, ready in resource, with tact and skill suited to any emergency, I may truly say that he was the peer of any man on this floor in debate, and that, whether in the Senate or in the committee room, his views and opinions ever commanded the respect and attention of all.

He was an affable, kind, courteous, gentlemanly man, whose loss we shall often feel. We shall want his ready perception, his clearness, his soundness of judgment, his manly eloquence. Let us ever treasure his memory and his virtues in our hearts and history.

Within the past year death has reaped a golden harvest. He has desolated many a home. While thousands of our brave, true men have fallen on the ensanguined field of battle, have poured out their blood like water for the integrity and honor of the nation, death has not been idle here. His hand has been felt heavily upon the other chamber. As some of us turned our footsteps homeward last spring, we bore with us to his last resting place the high-souled Buell; and we had scarcely reached our homes before intelligence came that he who had worn the ermine of the highest judicial tribunal of the State—who had represented the nation abroad, was no more; and the sere and yellow leaves of autumn had not fallen when the tidings came that he who had long represented that rich, rugged, Northern Peninsula—whose mountains glisten with ore, whose chambers are filled with undeveloped wealth—with his bright boy, had gone down on the ill fated steamer Sunbeam, to sleep forever beneath the waters of Lake Superior.

Robertson, Buell, Pratt and Sherman, all gone. Oh, Sir! what shadows we are; what shadows we pursue. Death on the field, Death in the council, Death whispered in every breeze.

"The boast of heraldry, the pomp of power,
And all that wealth and beauty ever gave,
Await alike the inevitable hour,
The paths of glory lead but to the grave."

Mr. President, as expressive of the respect of this body, I move the adoption of the following resolutions:

Whereas, Andrew S. Robertson, a member of this Senate from the 4th district, suddenly died at his residence, in the village of Mount Clemens, on the twenty-fifth day of March last;

And whereas, By his death this body has lost an accomplished member, who brought to the consideration of public affairs a

cultivated intellect, an enlarged and comprehensive mind, stored with useful knowledge, and a sound and discriminating judgment, together with a kindness and courtesy of manner that made him an agreeable and able legislator; therefore,

Resolved, That this Senate deeply deplore the death of Hon. Andrew S. Robertson, who has thus, in the prime and vigor of a life of ability for usefulness, been suddenly removed from us forever by the stern decree of death;

Resolved, That the family of the deceased have our sincere sympathy in their bereavement;

Resolved, That the Secretary of the Senate be instructed to forward a certified copy of these resolutions to the widow of the deceased;

Resolved, That as a mark of respect for the memory of the deceased, this Senate do now adjourn.

REMARKS OF SENATOR ADAIR.

MR. PRESIDENT:—I rise to support the resolutions of the Honorable Senator from the 10th with painful regret, and cannot allow the opportunity to pass without adding a word to the memory of departed worth.

It was not my good fortune to have the benefit of a long acquaintance with the deceased. We had never met but once till we met on the floor of this Chamber, and, taking my seat by his side, I soon learned to honor and respect him.

Eminent in his profession, and highly esteemed for his private worth by those who knew him best, he had often been selected for positions of responsibility and trust—among many others, he was a member of the Convention which formed the Constitution of our State. As a legislator, he was able, earnest and sincere, ever alive to the interests of the State, as well as faithful to his immediate constituents. As a friend, he was candid, cordial and constant. As a man, he exemplified the strictest integrity, a scrupulous sense of honor, and a kind and generous disposition to all with whom he came in contact.

To use his own words, when he pronounced the eloquent eulogy on the death of the late Senator Northrup, "to us this

is indeed an affliction and a solemn warning. The fact should therefore give rise to the most serious reflections, for it has pleased God to bring the nothingness of man terribly near to us."

We, who daily assembled with him and observed how he struggled with disease throughout the session, can appreciate his feelings when he uttered the solemn warning. But he is gone. His seat is now vacant. The earthly tenement of the soul has departed. The spirit still lives, and has gone to God who gave it. Another link in the chain of our little circle is broken. The State has lost a patriotic son; the wife, a loving and affectionate husband; the children, a kind and indulgent father. This sad bereavement calls on us with renewed force to heed the solemn admonition, "Be ye also ready."

It is consoling to know that he reached his home, and died in the bosom of his family, passing away without a struggle.

"They thought him dying when he slept,
And sleeping when he died."

To the family and friends we can tender our sincere condolence and heart-felt sympathies in this great affliction, and commend them to the tender care of Him "who doeth all things well."

The resolutions were unanimously adopted.

The Senate adjourned.

Lansing, Thursday, January 21, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by Rev. Mr. Burns.

Roll called; present—

Messrs. Adair, Babcock, Blackman, Buell, Clark, Crapo, Crosswell, Divine, Dow, Fowler, French, Green, Gidley, Grosvenor, Hewett, Humphrey, Jay, Jerome, Lamb, Landon, Mears, Monroe, Moore, Parker, Robison, Wait, Warner, Watkins.

The President announced the appointment of Charles F. May as a Messenger of the Senate.

PRESENTATION OF PETITIONS.

By Mr. Hewett: petition to authorize the common council of the city of Lansing to issue bonds to aid the Lansing and Jackson railroad;

Referred to the committee on banks and incorporations.

By Mr. Buell: petition of the board of supervisors of Cass county, in relation to granting bounties to soldiers;

Referred to the select committee on bounties.

By Mr. Watkins: resolutions of the board of supervisors of the county of Kent, relative to bounties to volunteers;

Referred to the same committee.

By Mr. Grosvenor: petition of John McDermid and ten other tax payers of the township of Cambria, Hillsdale county, in relation to township bounties;

Referred to the same committee.

By Mr. Green: memorial of the board of supervisors of Oceana county, relative to bounties;

Referred to the same committee.

By Mr. Jerome: memorial of the board of supervisors of the county of Alpena, praying for the legalization of their bonds issued for bounties to volunteers;

Referred to the same committee.

By the President: memorial of the board of supervisors of Lenawee county, relative to bounties;

Referred to the same committee.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Blackman moved that the resolution, adopted yesterday by the Senate, ordering 5,000 copies of the Governor's Message to be printed, and delivered to the Adjutant General for distribution among the Michigan regiments now in the field, be reconsidered;

Which motion prevailed.

On motion of Mr. Blackman,

The resolution was referred to the committee on military affairs.

Mr. Blackman moved the reconsideration of the vote by which the Senate, on yesterday, concurred in the adoption of the resolution requesting the Secretary of State to forward two hundred and fifty copies of the Governor's message to each regiment, and fifty copies to each battery, of the Michigan volunteers now stationed in other States;

Which motion prevailed.

On motion of Mr. French,

The resolution was referred to the committee on military affairs.

Mr. Hewett offered the following:

Resolved, That the committee on military affairs be instructed to ascertain the number of copies of the Governor's message necessary and desirable to be furnished to the Adjutant General, for the use of the regiments and batteries of Michigan volunteers in the United States service, and report the same by joint resolution or otherwise;

Which was adopted.

Mr. Moore offered the following:

Resolved, That the committee to which was referred the resolution of inquiry in relation to the claims of the Hon. Smith W. Fowler to retain his seat on the floor of this Senate, be also requested to examine into and report to the Senate, at their earliest convenience, whether the Hon. John J. Robison, by reason of receiving an appointment in the service of the United States, has not, by the provisions of the constitution, vacated his seat in this Senate;

Which was adopted.

Mr. French, unanimous consent being given, introduced

A bill to confirm and legalize the tax and tax roll of the township of Sheridan, in the county of Calhoun, for the collection of the tax voted, assessed, and spread on said roll, for the purpose of raising the money voted in said township for pay-

ing bounties for its quota of volunteers in the military service of the United States;

Also,

A bill to confirm and legalize the tax and tax roll of the township of Albion, in the county of Calhoun, for the collection of the tax voted, assessed, and spread on said roll, for the purpose of raising money voted in said township for paying bounties for its quota of volunteers in the military service of the United States;

The bills were read a first and second time by their title, and referred to the select committee on bounties.

Mr. Fowler, pursuant to previous notice, introduced

A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections 45 and 61, of chapter 6, of the compiled laws; and to amend act 177, of the session laws of 1859, by changing the No. of section 30, and adding a new section thereto;

The bill was read a first and second time by its title, and referred to the select committee on soldiers' suffrage.

Mr. Grosvenor gave notice that he would on some future day ask leave to introduce

A bill to legalize the action of the townships of Hillsdale, Fayette and Cambria, in Hillsdale county, in raising money to pay bounties to volunteers.

Mr. Hewett gave notice that he would on some future day ask leave to introduce

A bill to extend the time for the collection of the taxes in the city of Lansing.

Mr. Warner gave notice that he would ask leave to introduce on some future day

A bill to legalize the action of the several township boards of the township of Romulus, Sumpter, Brownstown, Huron and Van Buren, in the county of Wayne, in reference to volunteer bounties.

Mr. Jerome gave notice that he would at some future day ask leave to introduce

A bill to legalize the tax roll of the township of Ingersoll, in the county of Midland, and extend the time for the collection of taxes.

Mr. Warner offered the following:

Resolved, (The House concurring,) That of each bill and joint resolution ordered printed; 250 copies be furnished for the use of the members of the Legislature;

Which was adopted.

On motion of Mr. Monroe,

The vote last taken was reconsidered.

Mr. Parker moved to amend the resolution by striking out "250," and inserting "300;"

Which amendment was accepted.

The resolution, as thus amended, was then adopted.

Mr. Robison gave notice that on some future day he would ask leave to introduce

A bill to legalize the action of the township of Sharon, Washtenaw county, in reference to raising money as bounties to volunteers.

Mr. Grosvenor moved that the President of the Senate be requested to appoint a messenger, in the place of Arthur Birney, who is absent;

Which motion prevailed.

Mr. Monroe gave notice that he would at some future time introduce

A bill to legalize the action of the township of Sherwood, in Branch county, in relation to raising bounties for volunteers.

On motion of Mr. Adair,

Leave of absence, for an indefinite time, was granted to Senator Duncan, on account of sickness.

Mr. Clark gave notice that at some future day he would introduce

A bill to legalize the action of the township of Iosco, in the county of Livingston, in regard to their action in levying a tax to raise moneys for volunteers.

Mr. Parker offered the following:

Resolved, That the committee on the judiciary be instructed to present a bill which shall legalize the bounties that have been paid in the towns and counties in Michigan, and which may be so raised in the future.

Mr. Robison called for the yeas and nays.

The resolution was not adopted, the following being the vote thereon:

YEAS.

Mr. French,
Gidley,

Mr. Landon,
Parker,

Mr. Robison,

5

NAYS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Crapo,
Croswell,

Mr. Divine,
Dow,
Fowler,
Green,
Hewett,
Humphrey,
Jay,

Mr. Lamb,
Mears,
Monroe,
Moore,
Wait,
Warner,
Watkins,

21

Mr. Jay offered the following:

Resolved, That all notices of bills for special laws not recommended by the Governor, be declared out of order.

Mr. Monroe moved to lay the resolution on the table;

Which motion prevailed.

On motion of Mr. Babcock,

The Senate went into executive session.

The executive session closed.

On motion of Mr. Monroe,

The Senate adjourned.

Lansing, Friday, January 22, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by Rev. Mr. Meyer.

Roll called: a quorum present.

PRESENTATION OF PETITIONS.

By Mr. Wait: petition of T. C. Carpenter and 90 others, citizens of the township of Sturgis, St. Joseph county, in relation to bounties;

Also, resolutions of the citizens, at a public meeting in the town of Constantine, St. Joseph county, relative to bounties;

By Mr. Watkins: resolutions of the board of supervisors of the county of Kent, in relation to a State bounty for our veteran volunteers who reenlist;

By the President: petition of L. A. Beadle and 97 others, of the township of Ross, Kalamazoo county, relative to bounties;

By Mr. Robison: memorial of the township board of Sharon, Washtenaw county, relative to the bounties raised in said township for volunteers;

By Mr. Grosvenor: memorial of the township board of Fayette, Hillsdale county, asking that their action, in issuing bonds to raise money to pay volunteers, be legalized;

Which several petitions, memorials and resolutions were referred to the select committee on bounties.

By Mr. Jerome: petition of B. F. Partridge and 44 others, of Bay county, for a law authorizing the issue of bonds to aid in the building of a railroad from Bay City to East Saginaw;

Also, petition of Wm. Daglish and 24 others, for the same

Also, petition of J. J. McCormick and 34 others, for the same;

Which were referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

The committee on finance and State affairs, of the Senate, acting with the committee on federal relations, of the House, under a concurrent resolution, to whom was referred so much of the Governor's message as relates to the "Soldiers' National Cemetery," at Gettysburg, Pa., have considered the same, and find: that the State of Pennsylvania has purchased a portion of the battle field at Gettysburg, to be held in perpetuity, as a Sol-

diers' National Cemetery, for the States having soldiers interred therein.

At a meeting convened at Harrisburg, December 17, 1862, at which a majority of the States interested in said cemetery, were represented, the following plan was adopted, viz:

The general expenses to be paid by the several interested States, in proportion to the representation of each in Congress, and that each State be invited in the future to make annual appropriations in the above ratio, to create a fund with which to keep said cemetery in order.

The following is the estimated expenditures for which immediate provision should be made:

Enclosing grounds,.....	\$15,000 00
Burial expenses and superintending,.....	6,000 00
Headstones,.....	10,000 00
Laying out grounds and planting trees,.....	5,000 00
Lodge,.....	2,500 00
Monument,	25,000 00
Total,.....	<u>\$63,500 00</u>

Of the above sum, Michigan's proportion is about...\$2,500 00

In addition to the above \$2,500, your committee recommend an appropriation of one thousand dollars (\$1,000,) to be placed at the disposal of the Governor, with which to defray the expenses of a special commissioner to represent the interests of our State at said cemetery, and make such improvements upon the ground set apart to Michigan, as may be deemed desirable.

Your committee, duly appreciating that it is the pride of our State to be second to none, in making suitable provision to perpetuate the memories of those brave souls, whose lives were the price of our country's victory, on that memorable field of carnage, and approving of the action of those who have inaugurated this good work, beg leave to introduce herewith a bill

to carry into effect the foregoing, and unanimously recommend its passage.

All of which is respectfully submitted.

E. O. GROSVENOR,

Chairman Finance Committee,

D. H. JEROME,

Chairman of Committee on State Affairs,

WM. WHEELER,

Ch'n of Com. on Federal Relations of the House.

The report was accepted and the committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on military affairs:

The committee on military affairs, to whom was referred Senate resolution providing that 5,000 copies of the Governor's message be printed and delivered to the Adjutant General, for distribution among the Michigan regiments now in the field; also, the concurrent resolution from the House, providing "that the Secretary of State be requested to forward two hundred and fifty copies of the Governor's message to each regiment, and fifty copies to each battery, of the Michigan volunteers now stationed in other States," and in accordance with the resolution of the Senate, instructing this committee to ascertain the number of copies of the Governor's message necessary and desirable to be furnished to the Adjutant General for the use of the regiments and batteries of Michigan volunteers in the United States service,

Respectfully report that they have had the same under consideration, and are of the opinion that five thousand copies of the Governor's message will be sufficient for the use of the Michigan soldiers now in service.

And your committee are also of the opinion that a more equitable distribution can be obtained through the Adjutant General's office than in any other way.

Your committee, therefore, report back the said resolutions, together with a substitute prepared in accordance with their views, recommending the adoption of the substitute, and ask to be discharged from the further consideration of the subject.

S. W. FOWLER, *Chairman*.

The report was accepted and the committee discharged.

The substitute, which is as follows, was adopted:

Resolved, (the House concurring,) That five thousand copies of the Governor's message be printed and delivered to the Adjutant General of this State, for distribution among the Michigan regiments and batteries in the field.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Buell offered the following:

Resolved, That each Senator be allowed five dollars for stationery, and that the committee on supplies be required to furnish the President, Secretary, Enrolling and Engrossing Clerk, and the Chairmen of standing and select committees, such stationery as may be necessary for their use;

Which was adopted.

On motion of Mr. Moore,

Leave of absence, until Tuesday next, was granted to Senator Crosswell.

Mr. Dow gave notice that he would on some future day ask leave to introduce

A bill to legalize the action of the electors of the township of West Bloomfield, Oakland county, in issuing war bonds.

Mr. Monroe offered the following:

Resolved, That the judiciary committee be instructed to take into consideration the question as to the constitutionality of any law to enable the qualified electors of this State, in the military service of the United United States, to offer their votes, and to vote, in places beyond and out of the jurisdiction of this State, and in places other than the place of their actual residences, at any election of this State, and to report thereon with all convenient and reasonable dispatch;

Which was adopted.

Mr. Monroe offered the following:

Resolved, That the committee on military affairs be and they are hereby instructed to inquire as to the necessity, expediency, practicability and safety of passing a law to enable the qualified electors of this State, in the military service of the United States, to offer their votes and to vote in places beyond and out of the jurisdiction of this State, and at places other than the place of their actual residences, at any election of this State, and to report with all convenient and reasonable dispatch;

Which was adopted.

Mr. Warner offered the following:

Resolved, That the President be requested to fill the vacancies in the Senate committees, occasioned by the death of Hon. Andrew S. Robertson and Hon. E. S. Northrup;

Which was adopted.

On motion of Mr. Hewett,

The Senate adjourned.

Lansing, Saturday, January 23, 1864.

The Senate was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Mr. Armstrong.

Roll called: a quorum present.

The President announced the following appointments to fill vacancies in the standing committees of the Senate:

Judiciary—Mr. Clark, *vice* Mr. Robertson.

Enrolled Bills—Mr. Jay, *vice* Mr. Robertson.

Mines and Minerals—Mr. Parker, chairman, *vice* Mr. Northrup; Mr. Babcock, *vice* Mr. Parker.

PRESENTATION OF PETITIONS.

By Mr. French: petition of W. H. Bidwell and 20 others, citizens of Sheridan, in the county of Calhoun, who furnished the money to pay the bounties voted to be raised and paid by said township to volunteers enlisting into the service of the United

States from said township, asking the passage of an act to legalize the proceedings taken by said township to raise and pay the same;

Also, petition of S. V. Irwin and 30 others, of Albion, who furnished \$4,700 to pay bounties voted to be raised and paid to volunteers from said township enlisting into the service of the United States, asking the passage of an act to legalize the proceedings had by said township to raise money to pay the same;

By Mr. Grosvenor: memorial of the town board of township of Jefferson, Hillsdale county, in relation to their action in raising and paying bounties to volunteers;

Also, memorial of the supervisor of the town of Woodbridge, Hillsdale county, in relation to bounties paid to volunteers;

Also, memorial of town board of township of Adams, Hillsdale county, in relation to bounties raised and paid by said township;

Also, petition of John McLouth and 40 others, of township of Wheatland, Hillsdale county, asking that the action of said township in raising bounties paid to volunteers be legalized.

By Mr. Jerome: resolutions of the board of supervisors of Bay county, relative to bounties;

Which several petitions and memorials were referred to the select committee on bounties.

By Mr. Jerome: resolutions of the board of supervisors of Bay county, asking the passage of a bill authorizing the issue of county bonds to aid the construction of a railroad from Bay City to East Saginaw;

Referred to the committee on banks and incorporations.

By Mr. Hewett: petition of Sylvester Hoyt, supervisor, and A. J. Bennett, township clerk, of De Witt, Clinton county, asking the legalization of their action in issuing town orders to pay bounties to volunteers;

Referred to the select committee on bounties.

REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred a petition asking for a law to authorize the township of South Haven, in Van Buren county, and other townships in the counties of Van Buren and Allegan, to make loans and levy taxes for the construction and improvement of the harbor at the mouth of South Black river, in said township of South Haven, together with the Governor's message recommending the same, would respectfully report that they have had the subject under consideration, and have directed me to report the same back to the Senate, together with

A bill giving effect to the prayers of said petitioners;

Recommend that such bill do pass, and ask to be discharged from the further consideration of the subject.

E. O. HUMPHREY, *Chairman.*

The report was accepted and committee discharged.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The joint committee of the Senate and House to whom was referred so much of the Governor's message as relates to the passage of a law enabling our soldiers in the field to vote, and also a Senate bill, being

A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections 45 and 61, of chapter 6, of the compiled laws, and to amend act 177, of the session laws of 1859, by changing the number of section 30, and adding a new section thereto,

Together with two bills from the House on the same subject, beg leave to report that they have had the subject, embraced in the message and the various bills, under consideration, and not being prepared at this time to report more fully, a majority of the committee herewith report the accompanying bill as a substitute for all the bills before the committee, being

A bill to secure the elective franchise to the qualified voters of the army and navy from the State of Michigan,

In which the concurrence of the Senate is respectfully asked.

All of which is respectfully submitted.

GEO. H. FRENCH,
WM. A. CLARK,
WM. E. WARNER,
S. TITUS PARSONS,
T. W. LOCKWOOD,
T. G. SMITH,
A. S. GAYLORD.

The report was accepted, the bill was read a first and second time by its title, laid on the table and ordered printed.

By the minority of the select committee on soldiers' suffrage,

The undersigned, minority of the select committee on soldiers' suffrage, to whom was referred a bill to enable the qualified electors of this State in the military service, to vote at certain elections, &c., would respectfully report that he has had the same under consideration, and is of the opinion that while the provisions of this bill are such as to accomplish the desired object, in a more direct and less complicated manner, it is equally free from constitutional objections, with the bill reported as a substitute by the majority of this committee. Disclaiming any special anxiety for the passage of a particular bill, the undersigned is only desirous for the adoption of such measures as will best secure the desired result; and with this object in view, a brief examination of the principles involved in this bill may not be out of place.

At the last session of the Legislature this bill was introduced by the undersigned, and was referred to the committee on privileges and elections. That committee, in a very able report, considered the arguments for and against the measure; but reported the bill back to the Senate without recommendation. The bill was then placed upon the general order, and referred to the committee of the whole; but after some discussion, it was

reported back and referred to the judiciary committee, who were afterwards discharged from its further consideration, and the bill was referred to the Attorney General, for his opinion of its constitutionality.

The Attorney General submitted a very excellent opinion, sustaining, in full, the constitutionality of the measure.

The same bill was afterwards introduced into the House, and referred to the committee on elections. This committee, in an elaborate and carefully written report, concluded that the measure was unconstitutional and impracticable, and recommended that the "bill do *not* pass." The bill was tabled. But on the report of the minority of that committee recommending that it *do* pass, the bill was taken from the table, and passed by a vote of 50 to 33.

The bill failed to reach final action in the Senate.

It is but reasonable to suppose that the two reports referred to, the one made without recommendation and the other recommending that it *do not* pass, contain the material objections to the measure entertained by members of the Legislature. These objections may be stated thus:

1st. That under our constitution "every elector must reside in the township or ward in which he offers to vote; and *vice versa*, every elector must offer his vote in the township or ward in which he resides *and not elsewhere*."

2d. That "we can pass no election or other laws that will be of any binding authority outside of the State, or over the soldiers, officers or armies of the United States."

3d. It is inexpedient to allow soldiers to vote.

In discussing the first part of the subject, embracing the constitutional question, many of the opposers of the measure have fallen into the error of *considering the constitution of a State a granting instead of a limiting power*.

And all of the most earnest arguments from that side have been founded upon these erroneous premises. The majority of the committee on elections in the House, in their report, state "that section 5 of the same article (article 7) of the constitu-

tion, which declares that 'no elector shall be deemed to have gained or lost a residence by reason of his being employed in the service of the United States or of this State, nor while a student in any seminary of learning, &c.' was neither intended to, nor does it, in the opinion of your committee, give to such person, so engaged in the service of the United States, or attending a seminary of learning, the right to vote in any other place than that in which he is a resident." Again, in the same report, the committee say: "to have intended the provisions of said section five, as authorizing the several classes of persons therein named, to vote wherever they might happen to be on election day, would be putting it in the power, frequently, of persons having no interest in the local affairs, or officers of the town or ward, where they were temporarily stopping, of controlling the elections of such town or ward, and overruling the wishes of permanent residents."

In these extracts the committee appear to assume that the Legislature has only such power as is granted in the constitution, and that if a person could deposit a vote for the officers of the county of his residence, while out of that county, he could vote at and aid in controlling the elections of other towns or wards where he happened to be, away from the place of his residence.

In the report already referred to, by the committee of the Senate on privileges and elections, we find this language: "It is very difficult to believe that the framers of our constitution, or the people in their ratification of the same, intended to make provision for, or authorize the passage of any such law as is contained in this bill. Had they intended to grant such authority, or license, it is believed that they would have expressed such intention more explicitly, and in language well defined." If it really required, in express terms, constitutional license, to enable the Legislature of a State to pass a law, then, indeed, the friends of this measure might despair of being able to extend to the defenders of the nation the freeman's right of a voice in the affairs of its government. But it is believed

to be well established by all of the elementary writers upon constitutional law, that all power vests in the people, and that the constitution of a State is a *limiting*, and *not a grant* of power. And that the Legislature of a State, as a municipal organization, has a right to pass any law the public interest may require which is not prohibited by the constitution.

In the case of "*The State of Iowa ex rel. Wilson vs. Burt*;" same *ex. rel. O'Neal vs. Watson*, the Supreme Court of Iowa affirm the doctrine that "the constitution, as applied to the legislative department, is a limitation and not a grant of power; or in other words, *if the Legislature is not restricted, it has full power to provide who shall have the right of suffrage, and prescribe the place, time and manner of its exercise.* For the Legislature clearly has the power to legislate on all rightful subjects of legislation, unless *expressly* prohibited from so doing, or where the prohibition is implied from some express provision. This theory must never be lost sight of by the courts, in examining the powers of the Legislature. It is elementary, cardinal, and possesses frequently, controlling weight in determining the constitutional validity of their enactments."

In the light of these principles, let us examine our constitution and see if we are prohibited from extending to soldiers the right to vote while in service.

It is believed to be admitted by all parties, that a soldier does not lose a residence by reason of being absent in the army. He has the same rights, so far as all questions of residence is concerned, he would have if he never entered the army or left home.

Then, if there is any prohibition applicable to this measure, it must be contained in section 1, of article 7, of the constitution, which declares "that no citizen or inhabitant shall be an elector, or entitled to vote at any election, unless he has resided in this State three months, and *in the township or ward in which he offers to vote* ten days next preceding such election." Under this clause, there is no question but what the soldier is a citizen, a resident, and entitled to vote in the town where he resides.

In all of these particulars he is placed upon the same footing as if he had not gone to the war.

Then, the question comes down to simply this: Is the Legislature prohibited by this article of the constitution from providing that the ballot box of a township may be taken outside its limits to receive the votes of its electors, when those electors are compelled to be absent from the place of their residence? It is not a question, as the committee of the House, in the report above referred to, seem to intimate, whether the soldier, or the class of persons referred to in the 5th section of article 7, "may vote where they happen to be on election day, for the officers of that particular locality, and thus overrule the wishes of the permanent residents."

It is not a question whether the elector may vote where he has no right to vote, and for officers in whom he has no interest, but it is a question whether electors taken from their homes, and from the ballot box of their particular localities, to save the nation, may have the ballot box taken to them, that they may vote as they would if they were yet enjoying the peace and plenty of the place of their residence—may vote where they *have a right* to vote, and for officers in whom *they have an interest*.

Suppose section 1, of article 7, was changed and read thus: "No citizen or inhabitant shall be an elector, or entitled to vote at any election, unless he has resided in this State three months, and in the township or ward in which he *claims the right to vote*, (instead of "offers to vote,") ten days next preceding such election," would any person imagine that it fixed the *place of opening the ballot box*? Certainly not; and yet the intent and meaning is not changed. "Offering to vote" is but one way of claiming the right to vote; and it occurs to the undersigned that the whole section does, and was intended to do nothing more than to prescribe the qualifications of an elector; and refers to a question of the residence of the voter, and not to the manner or place of depositing the ballot.

In 1821 the constitution of New York provided that "every male citizen of the age of twenty-one years who shall have

been an inhabitant of this State one year preceding an election, and for the last six months a resident of the town or county *where he may offer his vote,*" &c. Under that provision, it is said the Legislature of New York provided by law that an elector might vote for State officers anywhere in the State.

And it did not seem to occur to any of the constitutional lawyers of that time, that the provision (which was the same in substance as the provision referred to in our constitution) prohibited such legislation. We cannot learn that the constitutionality of the law referred to was ever questioned.

But as its practical workings were not satisfactory, the Legislature of New York, in 1825-6, adopted an amendment to this provision, which was afterwards ratified by the people, adding after the word "vote" the words: "*shall be entitled to vote in the town or ward where he actually resides, and not elsewhere, for all officers that now are or may hereafter be elective by the people.*"

If the language "town or county where he may offer his vote," is susceptible of the construction now sought to be put upon it, and does actually limit the place of depositing the ballot, is it not a little singular that the people of the State of New York should have failed to discover the fact, and found it necessary to change their constitution, and add the words "in the town or ward where he actually resides and not elsewhere?"

If our constitution had been designed to limit the action of the Legislature in fixing a place for the reception of votes, is it not reasonable to suppose that it would have contained a provision similar to the amendment to the New York constitution, adopted as above? See stat. N. Y., vol. 1, 2d Ed., pages 39 and 50.

The constitution of Connecticut provides that the place of holding elections *shall be in an electors meeting*, composed of the electors in the respective towns qualified to vote in the town, duly warned, convened, organized and held for the purpose." Constitution of 1818, and amendments of November, 1836, and Oc-

tober, 1845. Under this constitution the Supreme Court of Connecticut held that "it was intended that the vote should be brought in by the elector in person, in an organized electors meeting, in the presence of the electors, and there received by the presiding officer." Opinion by Butler, J., 2d American Law Reg. (N. S.) 460.

It will be seen that the constitution of Connecticut, in this particular, is totally unlike ours. The constitution of New Hampshire provides, in express terms, the place of voting, that it shall be "in an electors meeting, duly warned and holden, where the votes of the inhabitants are to be received in the presence of selectmen, in open meeting," and of course the decision of the New Hampshire courts was the same as in the case determined in Connecticut. See 2d Am. Law Reg. 2, (N. S.) 140.

The constitution of Wisconsin, sec. 5, art. 13, is as follows: "All persons residing upon the Indian lands, within any county of the State, qualified to exercise the right of suffrage under this constitution, shall be entitled to vote at the polls, which may be held nearest their residence, for State, United States and for county officers: *Provided, That no person shall vote for county officers out of the county in which he resides.*"

In the case of the "*State ex. rel. Chandler vs. Maine*," (opinion of the Supreme Court of Wisconsin, March, 1863,) it was held that the "proviso did not mean to prohibit the voter from being allowed to cast his vote outside of the county in which he resided, but to prohibit him from voting for *officers of a county in which he did not reside.*"

The constitution of Louisiana provides that "no person shall be allowed to vote at any election held in this State, except in the parish of his residence," &c. Const. 1852, tit. 2, art. 13.

The constitution of Kentucky declares that the elector shall have certain qualifications, and "shall vote in said precinct (that of his residence,) and not elsewhere." Const. 1850, art. 2, sec. 8.

The constitution of Illinois contains a similar provision.

Art. 6, sec. 1. "On the other hand," says the Supreme Court of Iowa, in the case above referred to, "the constitution of Michigan, (1850, art. 7, sec. 1,) Ohio, (1851, art. 5, sec. 11,) and California, (1859: art. 2, sec. 1,) contain no such express provisions or restrictions."

The constitution of Pennsylvania provides that the Legislature shall divide the State into "*election districts*," and that no person should be entitled to vote in any district who had not resided during the ten days next preceding the time when he should offer to vote, in the district where the vote should be offered.

The Supreme Court of that State, held that under such a provision "*election districts must be territorial sub-divisions of the State, and could not be formed or extended out of it;*" that an offer to vote must be personally made in the "*election district*," where the voter had a right to make the offer; and that, therefore, the Legislature could not authorize a vote to be offered or received in any place out of the State.

In many cases under our constitution, as it now is, the Legislature of this State has provided for holding the elections of a township outside of its limits, (see Sess. Laws of 1859, pp. 875 and 957,) and other enactments, and elections have been so held, without question.

And this rigid construction is only sought to be put upon our constitution when it is proposed to do an act of simple justice to our brothers in the army.

The decision in the case of Iowa *ex. rel. Wilson vs. Burt*, already referred to, was made in relation to a law similar in all parts to this bill, and under a constitution almost precisely like our own. In that case the learned judge said: "But it is also urged that the law has an extra territorial operation; that the law of a State can only have operation within its limits; and that as this law provides for the organization of election boards, the holding of an election, the administering of oaths beyond the State, * * * and for the punishment of

illegal voting, and false swearing in such elections, it is necessarily invalid.

“We are not aware that any of the cases cited and relied upon by counsel, intimate that such a law would be invalid for the reason stated. On the contrary, one of them at least, (the Conn. case,) as we have already seen, expressly holds that if the time, place and manner are committed to the Legislature, *the reception of votes out of the State may be constitutionally authorized.*

“Not only so, but the law is intended to act upon, and give a rule for the government of the citizens, residents or subjects of the State, though they may be out of the State, upon a subject, and in relation to a matter which concerns and affects them, as such citizens or subjects, and which affects also the sovereignty of the State, and in no manner concerns any other jurisdiction.

“That persons violating the law cannot be punished until they come or are brought * * * within the territorial jurisdiction of this State, avails nothing, for, as is well said by Bronson, J., in *Adams vs. The People*, 1st Comstock, 178, this is no more than happens when a criminal escapes after having committed a crime within the State. Jurisdiction of the offense or subject matter is a very different thing.” See *Tyler vs. The People*, 7th Mich., 162; 8th ib., 320, and 3d Denio, 190.

“Looking, therefore, in conclusion, to both the letter and spirit of the constitution, only anxious to view the question as one of legal or constitutional right—discarding all thought of expediency—all considerations touching the justice of the law, * * * we feel constrained to say, in fidelity to the oaths we have sworn, that this law can be, and should be upheld.”

It seems clearly established that our constitution contains no express prohibition to prevent the Legislature from passing such a law. Can the members hesitate to pass it, in the absence of such prohibition, merely because of vague and doubtful theories that might be invented in opposition to any law upon our statute books?

Should the Legislature be less liberal in construing the constitutionality of its enactments, than the law is when those enactments are being investigated by judicial tribunals?

If there is doubt, in the name of justice and right, let that doubt be given to secure our gallant fellow-citizens in the service of our common country, the boon which they, of all others, can best appreciate and do most richly deserve—the rights of the elective franchise.

The rule in such case is, that an act cannot be declared void unless it violates the constitution, *clearly, plainly, and in such a manner as to leave no reasonable doubt of its unconstitutionality*. 21st Penn., 162, *Adams vs. Howe*, 14th Mass., 345. In the latter case it is held “that the courts when called upon to decide the constitutional validity of a law, will presume in its favor until the contrary clearly appears, * * * so that in any case substantially doubtful, the law would have its force, * * * and the court will never declare a statute void unless the nullity and invalidity of the act be placed in their judgment beyond a *reasonable doubt*.” In Kentucky it is held “that if it be doubtful or questionable whether the Legislature had exceeded its limits, the judiciary cannot interfere, though it may not be satisfied that the act is constitutional.” Mon., 178.

This doctrine is fully recognized in the decision of the Iowa case above referred to; and the following, among other additional cases, are cited: *City of Lexington vs. McQuillin*, 9th Dana, 514; *Griffith et al. vs O. and I. R. R. Co.*, 20th Ohio, (Appendix 1;); *Cooper vs. Zelfair*, 4th Dalas, 14, 8th Mich., 333.

The last question to be considered is the expediency of allowing soldiers to vote.

If this had not been made a principal ground of opposition, the undersigned would not feel justified in taking space to investigate it. The committee on elections, of the House, in the report already alluded to, say: “Your committee are further unanimously of the opinion that the passage of this bill, if it could be consistently done, would be unwise.” And the reasons given, among others, are—

1st. That "but a partial vote of the electors of this State could be obtained. * * * Unless all could avail themselves of the privilege of such a law, it would seem more just that the privilege should not be extended to any." This argument is so sweeping in its nature that it would not only prevent the holding of any election anywhere, but would almost deprive man of the blessings of a munificent providence.

2d. "There being no power to enforce the election laws, the ballot-box might be stuffed or destroyed, by a disorderly rabble," &c. All experience, it is believed, proves that there is less danger of mob violence in a well disciplined army, than there is out of it; and out of the army, the danger of mob violence has never been regarded (in this country) as a sufficient reason for depriving the people of the rights of the elective franchise.

3d. It is argued that "if the electors within the district are, in the great majority of cases, incompetent to judge of the qualifications of the respective candidates, at the time of their nomination, how can we expect that the soldiers in active service * * * will be competent judges of the character or fitness of such candidates, or able to cast an intelligent vote? If the soldier is desirous to vote for the candidate only of a particular party, without any regard to the fitness or character of candidates, he will be unable to do so of his own knowledge, in most cases, but will have to take the word of some other person, who, if interested in the result, might not scruple to deceive him. * * * The soldier has no reliable means of becoming acquainted either with their character, politics or qualifications for the respective offices for which they are running. Is it, therefore, depriving the soldier of any privilege, by refusing to extend to him, under such circumstances, the right of voting? Is the right to vote for a candidate of whom we know nothing, a privilege?"

Without the slightest reflection upon any person, it certainly is error to suppose that men absent for a few months, or a year or two, in the government service, taking an active part

in deciding, with their swords, the great practical questions of the day, are less qualified for the duties of the elector than they would have been if they had allowed themselves to have remained deaf to the calls of their country—slumbered on in the quietude of their homes, without dreaming of the responsibilities of the hour.

Let him who thinks he can succeed, visit the camps of those war-worn veterans, and undertake to deceive them as to the ticket they should vote, and if he does not return a better, he certainly will be a wiser man.

It is a serious, if not a dangerous mistake, to suppose that the intelligent, patriotic sons of Michigan, who have sprung to arms to save the free institutions of this republic, are more ignorant or less interested in the questions that involve its common interests, than that other class, who have not sufficient interest to move them to the field in its defense. The whole interest of the army is merged in the present struggle. Every camp is filled with letters and newspapers from home. Nearly all the reading the soldier gets is of the news of the day. The whole history of home is faithfully reproduced in camp; and every act of a public nature is scanned with an eagle eye, and no such act will escape the judgment of the fifty thousand soldiers of Michigan.

There is no other equal number of men in or out of America who read more, or take more interest in the current events of the day, than the soldiers of this republic.

The undersigned, being of the opinion that the welfare of our common country, and the plainest dictates of justice, alike require that those who peril their lives for the government should have a voice in its affairs; and believing that there is no express prohibition in our constitution to prevent it, and that this bill is well calculated to secure that result, would most respectfully report the bill back to the Senate without amendment, and recommend that it do pass.

S. W. FOWLER, *of Committee.*

The report was accepted; and,

On motion of Mr. Lamb,

The bill was laid on the table, and ordered printed.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 22, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bill:

A bill to amend an act entitled an act to authorize the city of Jackson, and the several townships of Jackson county, to pledge their credit, and the county of Ingham to raise by tax, or borrow money, to aid in the construction of a railroad from Jackson to Lansing, approved March 20, 1863;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 23, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following concurrent resolution:

Resolved, (the House concurring,) That of each bill and joint resolution ordered printed, 300 copies be furnished for the use of the members of the Legislature,

In the passage of which the House has concurred.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The message was laid on the table.

Mr. Crapo, unanimous consent having been given, submitted the following report from the committee on banks and incorporations:

The committee on banks and incorporations, to whom was referred

House bill No. 1, entitled

A bill to amend an act entitled an act to authorize the city of Jackson, and the several townships of Jackson county, to pledge their credit, and the county of Ingham to raise by tax, or borrow money, to aid in the construction of a railroad from Jackson to Lansing, approved March 20, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. CRAPO, *Chairman.*

Report accepted and committee discharged.

Mr. Hewett moved to suspend the rules and place the bill on its immediate passage;

Which motion prevailed.

The bill was read a third time;

Mr. Parker moved to amend, in section 1, line 9, by inserting after the word "as," the words "a majority of."

Which motion did not prevail.

Mr. Parker moved to amend in section 1, line 11, by inserting before the word "the," the words "a majority of."

Which motion did not prevail.

Mr. Watkins moved to strike out the word "electors," wherever it occurs in the bill, and insert in lieu thereof, the words "taxable inhabitants;"

Which motion did not prevail.

The bill was passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,
Buell,
Clark,
Crapo,
Divine,
Dow,
Fowler,

Mr. French,
Green,
Gidley,
Hewett,
Jay,
Jerome,
Landon,

Mr. Mears,
Monroe,
Moore,
Robison,
Wait,
Warner,

20

NAYS.

Mr. Lamb,

Mr. Parker,

Mr. Watkins,

3

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Mr. Babcock gave notice that on some future day he would ask leave to introduce

A bill to authorize the several townships in Oakland county to levy a tax on the property of the several townships in said county, to redeem the bonds issued and to discharge other indebtedness incurred by said townships for the purpose of raising money for volunteers, and to relieve those actually drafted and serving in the United States service, in person or by substitute;

Also,

A bill authorizing the board of supervisors of Oakland county to raise money to redeem the bonds of said county, issued for the purpose of procuring volunteers, and to relieve those actually drafted and serving in the United States service, in person or by substitute.

Mr. Wait gave notice that on some future day he would introduce

A bill to authorize the township of Stargis to levy a tax to refund moneys subscribed to pay bounties in said town;

Also,

A bill to authorize the several counties, cities, townships and incorporated villages on the line of the Grand Rapids and Indiana railroad, to pledge their credit, issue their bonds and borrow money to aid in the construction of said road.

Mr. Jerome, unanimous consent having been given, introduced

A bill to authorize Bay county to issue and loan its bonds to aid the construction of a railroad from Bay City to East Saginaw;

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

Mr. Lamb offered the following:

Resolved, That 1,000 extra copies of the minority report of the select committee on soldiers' suffrage, this day made to the Senate, in relation to the right of our soldiers in the field to the exercise of the elective franchise, be ordered printed for the use of the Senate, and that the same be in pamphlet form.

Mr. Babcock moved to strike out "1,000" and insert "500."

On motion of Mr. Lamb,

The resolution was laid on the table.

GENERAL ORDER.

On motion of Mr. French,

The Senate went into committee of the whole on the general order,

Mr. French in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled bill:

A bill to provide for the preparation of the soldiers' national cemetery, at Gettysburg, in the State of Pennsylvania;

Have directed their chairman to report the same back to the Senate without amendment, and recommend its passage.

GEO. H. FRENCH, *Chairman*

The report was accepted and committee discharged.

On motion of Mr. Jerome,

The rules were suspended, and the bill, being

A bill to provide for the preparation of the soldiers' national cemetery, at Gettysburg, in the State of Pennsylvania,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Crapo,
Divine,
Dow,
Fowler,

Mr. French,
Green,
Gidley,
Grosvenor,
Hewett,
Humphrey,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Warner,
Watkins, 27

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

On motion of Mr. Babcock,

The Senate adjourned.

Lansing, Monday, January 25, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by Rev. Mr. Potter.

Roll called: a quorum present.

PRESENTATION OF PETITIONS.

By Mr. Jerome: proceedings of the town board of the township of St. Charles, in Saginaw county, relative to bounties;

By Mr. Warner: petition of A. J. Pullen and 26 others, of the township of Romulus, in the county of Wayne, praying that the action of said township in holding special township meetings, and raising money by tax upon the taxable property of said township may be legalized;

By Mr. Jay: resolutions of the township board of Webster, Washtenaw county, in relation to bounties;

Also, petition of P. H. Reeve and other citizens of Webster, Washtenaw county, in relation to bounties;

By Mr. Lamb: petition of Joseph Darwood, Lucius Kendrick and 57 others, citizens of Dryden, Lapeer county, relative to bounties;

Which several petitions and memorials were referred to the select committee on bounties.

By Mr. Blackman: petition of J. W. Hannah, Charles Selleck and 88 others, citizens of Van Buren county, asking for a law authorizing certain townships in said county, to raise a tax, or issue bonds to aid in the construction of a railroad from Paw Paw, in said county, to Lawton, or to some other point on the Michigan Central railroad;

Referred to the committee on incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to authorize the county of Bay to issue its bonds to aid in the construction of a railroad from Bay City to East Saginaw;

Also, the petitions of James Watson and 34 others; of B. F. Patridge and 44 others; and of Wm. Daglish and 24 others, all citizens and tax-payers of the county of Bay, asking for the passage of a bill authorizing the board of supervisors of said county to issue bonds of the county, to be loaned in aid of the construction of a railroad from East Saginaw to Bay City, subject to a vote of the people of said county;

Also, resolutions of the board of supervisors of Bay county, asking for the passage of a similar bill,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, and recommend that said bill do pass without amendment, and ask to be discharged from the further consideration of the subject.

HENRY H. CRAPO, *Chairman.*

The report was accepted and committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 23, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bill:

A bill to amend section 17 of an act to amend an act entitled an act to provide for the formation of companies to construct canals or harbors, and improve the same, approved March 18, A. D. 1861, and an act amendatory thereto, approved January 18, 1862, approved March 20, 1863,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been order to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on incorporations.

Also, the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 23, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bill:

A bill to repeal chapter 122 of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 25, 1864. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following concurrent resolution:

Resolved, (the House concurring,) That five thousand copies of the Governor's message be printed and delivered to the Adjutant General of this State, for distribution among the Michigan regiments and batteries in the field,

Which the Senate adopted as a substitute for the following resolution:

Resolved, (the Senate concurring,) That the Secretary of State be requested to forward two hundred and fifty copies of the Governor's message to each regiment, and fifty copies to each battery, of the Michigan volunteers now stationed in other States,

And to inform the Senate that the House has concurred in the adoption of said substitute.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The resolution was referred to the committee on enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

On motion of Mr. Dow,

Leave of absence was granted to Senator Babcock, until to-morrow.

On motion of Mr. Buell,

Leave of absence was granted to Senator Fowler, for an indefinite time, on account of sickness in his family.

Mr. Wait, pursuant to previous notice, introduced

A bill to authorize the several counties, cities, townships and incorporated villages, on the line of the Grand Rapids and Indiana railroad, to aid in the construction of said road;

Read a first and second time, and referred to the committee on internal improvements.

Mr. Grosvenor, pursuant to previous notice, introduced -

A bill to legalize certain indebtedness incurred by the township of Hillsdale, in the county of Hillsdale, to pay a bounty to volunteers under the President's proclamation of October 17, 1863;

Referred to the select committee on bounties.

On motion of Mr. Moore,

The Senate adjourned.

Lansing, Tuesday, January 26, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by Rev. Mr. Burns.

Roll called: a quorum present.

PRESENTATION OF PETITIONS.

By Mr. Hewett: petition of Wm. C. Bennett and 22 others, citizens of Ovid, Clinton county, in relation to bounties;

By Mr. French: petition of J. Phelps Beach and 56 others, of the township of Marshall, Calhoun county, asking that the proceedings of the township respecting bounties, be legalized;

By Mr. Jerome: resolutions of the common council of the city of Saginaw, relative to raising money to aid volunteering;

By Mr. Divine: proceedings of the township board of the township of Fairplains, for the purpose of raising a bounty for volunteers in the county of Montcalm;

Also, proceedings of the town board of the town of Eureka, in the county of Montcalm, for the purpose of raising a bounty for volunteers in said township;

Also, proceedings of the town board of the town of Montcalm, for the purpose of raising a bounty for volunteers in the county of Montcalm;

Also, proceedings of the town board of the town of Sidney,

in the county of Montcalm, for the purpose of raising a bounty for volunteers in said township;

Also, proceedings of the town board of the town of Bloomer, in the county of Montcalm, for the purpose of raising a bounty for volunteers;

Also, proceedings of the town board of the town of Crystal, in the county of Montcalm, for the purpose of raising a bounty for volunteers in said township;

By Mr. Babcock: petition of the inspectors of election of Wheatfield, Ingham county, in regard to bounties;

Which several petitions, resolutions and memorials, were referred to the select committee on bounties.

By Mr. Clark: memorial of James B. Lee and 151 others, citizens of the counties of Livingston, Oakland, Washtenaw and Wayne, praying for the passage of an act authorizing the several townships in said counties to pledge their credit, and the county of Livingston to raise by tax, or borrow money, to aid the construction of a railroad from some point near Detroit to Howell, in the county of Livingston;

Referred to the committee on incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on the judiciary:

The committee on the judiciary to whom was referred

A bill to repeal chapter 122 of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft,

Have had the same under consideration, have made several amendments thereto, and have directed me to report the same back to the Senate and recommend its passage, and ask to be discharged from the further consideration of the subject.

S. H. BLACKMAN, *Acting Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Jerome,

The Senate concurred in the amendments reported by the committee.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the reform school:

The committee on the reform school, to whom was referred the memorial of the board of control, asking an appropriation for an artesian well, have had the same under consideration, and herewith return it to the Senate, with a preamble and joint resolution, and recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

PETER DOW, *Chairman.*

The report was accepted and the committee discharged.

The joint resolution was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 26, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bill:

A bill to authorize the formation of corporations for the running, booming and rafting of logs;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. French gave notice that on some future day he would ask leave to introduce

A bill to authorize the townships, villages and cities on the line of the Amboy, Lansing and Traverse Bay Railroad, or contiguous thereto, to aid in the construction of said railroad, from Lansing via Eaton Rapids, Albion, Homer and Litchfield, to Jonesville.

GENERAL ORDER.

On motion of Mr. Warner,

The Senate went into committee of the whole on the general order,

Mr. Moore in the chair.

After some time spent therein, the committee rose, and through the chairman made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No 5, entitled

A bill to authorize the county of Bay to issue its bonds to aid in the construction of a railroad from Bay City to East Saginaw;

Also, Senate bill No. 4, entitled

A bill to authorize the township of South Haven, in Van Buren county, and other townships in the counties of Van Buren and Allegan, to make loans and levy taxes for the construction and improvement of the harbor at the mouth of South Black river, in said township of South Haven;

Also House bill No. 3, entitled

A bill to repeal chapter 122 of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft;

Have made sundry amendments thereto, and directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend their passage.

T. F. MOORE, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Hewett,

The Senate concurred in the several amendments reported by the committee.

Mr. Crapo moved that the order of business be suspended, and the bills put on their immediate passage;

Which motion prevailed.

Senate bill No. 5, entitled

A bill to authorize the county of Bay to issue its bonds to aid in the construction of a railroad from Bay City to East Saginaw,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Buell,
Clark,
Corbin,
Crapo,
Divine,
French,

Mr. Green,
Gidley,
Grosvenor,
Hewett,
Jay,
Jerome,
Landon,

Mr. Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Watkins,

22

NAYS.

Mr. Babcock,
Humphrey,

Mr. Lamb,

Mr. Warner,

4

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Senate bill No. 4, entitled

A bill to authorize the township of South Haven, in Van Buren county, and other townships in the counties of Van Buren and Allegan, to make loans, and levy taxes for the construction and improvement of the harbor at the mouth of South Black river, in said township of South Haven,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Buell,
Clark,
Crapo,
Divine,
Dow,
French,

Mr. Green,
Gidley,
Grosvenor,
Hewett,
Humphrey,
Jay,
Jerome,
Landon,

Mr. Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Warner,
Watkins,

24

NAYS.

Mr. Babcock, Mr. Lamb, 2

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill No. 3, entitled

A bill to repeal chapter 122 of the revised statutes of 1846 and the amendments thereto, and provide for the collection of demands against water-craft,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Babcock,	Gidley,	Monroe,	
Blackman,	Grosvenor,	Moore,	
Buell,	Hewett,	Parker,	
Clark,	Humphrey,	Robison,	
Crapo,	Jay,	Wait,	
Divine,	Jerome,	Warner,	
Dow,	Lamb,	Watkins,	
French,			25

NAYS.

Mr. Landon, 1

The title was agreed to.

On motion of Senator Buell,

The Senate adjourned.

Lansing, Wednesday, January 27, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by Rev. Mr. Morris.

Roll called: a quorum present.

Mr. Watkins asked leave of absence for Senator Divine, for an indefinite time, on account of sickness;

Which was granted.

PRESENTATION OF PETITIONS.

By Mr. Wait: petition of P. H. Buck and 80 others, of St. Joseph county, asking the passage of a law for the towns and

cities to aid in the construction of the Grand Rapids and Indiana railroad;

Referred to the committee on banks and incorporations.

By Mr. Jerome: memorial of the township board of the township of Brant, in Saginaw county, relative to bounties;

Also, proceedings of the township board of the township of Chessaning, in the county of Saginaw, relative to bounties;

By Mr. Jay: remonstrance of J. D. Williams and 80 others, tax-payers of the township of Webster, Washtenaw county, against legalizing the action of a portion of said township relative to bounties;

Which several petitions, memorials and remonstrances were referred to the select committee on bounties.

REPORTS OF STANDING COMMITTEES.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to authorize the several counties, townships, cities and incorporated villages, on the line of the Grand Rapids and Indiana railroad, to aid in the construction of said road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. O. HUMPHREY, *Chairman.*

The report was accepted and the committee discharged.

The Senate concurred in the amendments reported by the committee.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred House bill No. 4, being

A bill to authorize the formation of corporations for the running, booming and rafting of logs,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the majority of the committee on bounties:

The majority of the select committee of the Senate, and of the committee of ways and means of the House, authorized by concurrent vote of both branches to act as a joint committee, and to whom was referred so much of the Governor's message "as relates to the legalization of the action of towns and counties in raising bounties for volunteers;" and to whom was also referred, on the part of the Senate, the following memorials and petitions, viz:

Of the board of supervisors of the counties of Midland, Saginaw, Alpena, Lenawee and Kent, asking that certain orders and bonds issued by them to volunteers, or for the payment of bounties to volunteers, by their respective counties, to fill the quotas of said counties under the last call of the President, and all action in reference to said bonds, or to the raising of money for the payment of the same, be legalized;

Of the board of supervisors of the county of Branch, asking that the action of said board may be legalized in offering a bounty of *one hundred and fifty* dollars to each volunteer for said county;

Of the board of supervisors of the county of Saginaw, asking that a law be passed to legalize the action of towns in raising funds to encourage enlistments, and also to legalize *all* acts passed by said board, or which may hereafter be passed, to facilitate the raising of volunteers;

Of the board of supervisors of Hillsdale county, asking for the passage of a law making bounties uniform throughout the State, and doing away with all subsequent township bounties;

Of the board of supervisors of Montcalm county, asking that a law shall be passed whereby the State shall assume the payment of town and county bonds to volunteers;

Of Nathan Cole and 39 others, tax-payers of West Bloomfield, in the county of Oakland;

Of D. D. Riley and 24 others, citizens of the township of Sherwood, in the county of Branch;

Of A. M. Felt and 59 others, inhabitants of the township of Clayton, in the county of Genesee;

Of the township board of Iosco, in the county of Livingston;

Of the township board of Sharon, in the county of Washtenaw;

Of T. C. Carpenter and 90 others, inhabitants of the township of Sturgis, in the county of St. Joseph;

Of L. A. Beadle and 97 others, citizens of the township of Ross, in the county of Kalamazoo, asking for the passage of such laws as shall be necessary to authorize and legalize the assessment and collection of taxes in their respective towns, for the payment of bounties to volunteers, or for the payment of moneys which have been advanced for that purpose;

Of John I. Gordon and 23 others, inhabitants of the township of Clayton, in the county of Genesee, asking for the passage of a law authorizing said township to raise by tax, a sum not exceeding fifteen hundred dollars, to refund the commutation money paid by men drafted Oct. 26th, 1863;

Of the board of supervisors of the county of Oceana, asking that the bonds issued by said county for the payment of bounties, be assumed as a State tax;

Of John McDermid and 10 others, tax payers of the township of Gambria, in the county of Hillsdale, asking for a law to authorize the levying and collecting of a tax not exceeding one thousand dollars, to refund moneys loaned and paid to volunteers, in bounties;

Of the board of supervisors of the county of Cass, asking that the bonds of the county be legalized, and that a law be passed authorizing the levying and collecting of township taxes to redeem the bonds issued by the townships in said county;

Of the township board of Fayette, in the county of Hillsdale;

Or John McLouth and 40 other inhabitants and electors of the township of Wheatland, in the county of Hillsdale;

Of the township board of Adams, in the county of Hillsdale;

Of Sylvester Hoyt, supervisor, and A. J. Bennett, clerk, of the township of De Witt, in the county of Clinton, asking that the action of said township in issuing bonds and borrowing money for the pay of bounties to volunteers, be legalized; and that they be authorized to raise the necessary amount for the payment of the same, by taxes;

Of S. V. Irwin and 30 others, electors and tax-payers of the township of Albion, in the county of Calhoun;

Of W. H. Bidwell and 20 others, electors and tax-payers of Sheridan, in the county of Calhoun, who furnished the money for that township to pay the bounties voted to be raised and paid by said township to volunteers enlisting in the service of United States from said township—asking the passage of an act to legalize the proceeding taken by said township to raise and pay the same;

Of Joseph Darwood and 58 others, citizens of the township of Dryden, in the county of Lapeer, asking the enactment of a law authorizing said township to levy taxes on the taxable property of the township, in accordance with a vote of the electors thereof, to pay volunteers and drafted men mustered into the United States for three years, and credited to said township of Dryden, one hundred dollars each, from December 11th, 1862, to the whole number it may require to fill the quotas of said township on any and all calls of the President of the United States, until the end of the rebellion, and to refund to Charles T. Latham and others the amount they have advanced, and interest, to procure substitutes, at the rate of one hundred

dollars to each man drafted and credited to the said township of Dryden;

Of A. J. Pullen and 26 others, inhabitants of the township of Romulus, in the county of Wayne, praying that the action of said township in holding special township meeting and raising money by tax upon the taxable property of said township, may be legalized;

Of the township board of St. Charles, in the county of Saginaw;

Of the township board of Webster, in the county of Washtenaw; and

Of P. H. Reeve and 78 others, tax-payers of said township of Webster, asking that the action of said town in reference to the issuing of bonds and borrowing of money for the pay of bounties to volunteers, be legalized, and that they be authorized to assess, levy and collect the necessary taxes for the payment of the same;

And to whom was also referred, on the part of the House, the following memorials and petitions, to-wit:

Of the board of supervisors of the counties of Livingston, Cass, Kent and Bay, asking that the action of said boards, respectively, in the issuing of bonds for the payment of bounties to volunteers may be legalized, and that said counties be authorized to raise, by tax, the necessary sums for the payment of said bonds;

Of the township of Owosso, in the county of Shiawassee; and

Of the township of Milton, in the county of Cass, asking that their proceedings, in the issuing of bonds for the payment of bounties, may be legalized;

Of H. W. Bush and 91 others, citizens of the township of Charleston, in the county of Kalamazoo;

Of Asa Reynolds and 58 others, tax-payers of the township of Rose, in the county of Oakland;

Of Ernest Ranspach and 41 others, tax-payers of the township of Springwells, in the county of Wayne;

Of Lewis Briggs and 177 others, tax-payers of the township of Livonia, in the county of Wayne;

Of Geo. W. Hall and 40 others, citizens of the township of Saline, in the county of Washtenaw, asking that the action of their township, in raising bounties for volunteers, and that such taxes as have been or may be levied by them for the payment of said bounties, may be legalized;

Of E. D. Lay and 112 others, voters of the township of Ypsilanti, asking that the bonds issued by the township board of said township, be legalized;

Of Benjamin C. Cox, chairman of a committee of the township of St. Clair, in the county of St. Clair, asking for the passage of a law legalizing the bonds issued by said township, to pay bounties to volunteers, and to the families of such volunteers, and also to require the township officers to levy the necessary taxes to meet the payment of the same;

Of the board of supervisors of Gratiot county, for a law to increase the bounty of volunteers, and to extend the benefits of act No. 67, of the session laws of 1863, one year;

Of H. G. Wells and 135 others, citizens of Kalamazoo, praying for a law to provide for reimbursing to individuals, bounty moneys advanced to secure enlistments of volunteers into the military service of the United States, and to legalize bonds issued for bounty purposes;

Of the township of Superior, in the county of Washtenaw, asking to have tax roll of 1863 legalized, so as to be able to compel the collection of taxes assessed under the law approved March 7, 1863;

Of the township board of Augusta, in the county of Washtenaw, asking that a bounty fund voted to be raised by said township, be either legalized or adopted by the State;

Of the township board of Saline, in the county of Washtenaw, asking that the vote of said town, to assess and raise, by tax, the sum of five thousand dollars to pay bounties to volunteers, be legalized;

Of the township board of Milan, in the county of Monroe;

Of the township board of Athens, in the county of Calhoun;
Of the township board of Overisel, in the county of Allegan;
Of Wm. A. Blake and 175 others, tax-payers and voters of the township of Comstock, in the county of Kalamazoo, asking for the passage of a law authorizing that township to levy a tax to pay bounties to volunteers;

Of the township board of Burlington, in the county of Lapeer, asking that a law may be passed authorizing that township to assess and collect a tax already voted, to pay bounties;

Of J. G. Van Has and 107 others, citizens of the township of Zeeland, Ottawa county;

Of G. W. Gilmore and 15 others, citizens of the township of Fremont, in the county of Tuscola;

Of J. W. Spencer and 31 others, electors of the township of Indian Fields, in the county of Tuscola;

Of A. B. Clark and 20 others, of the township of Dayton, in the county of Tuscola;

Of John Ferguson and 90 others, citizens of the township of Delhi, in the county of Ingham;

Of the township board of Loudon, in the county of Monroe;

Of the township board of Portland, in the county of Ionia;

Of the township board of Williamstown, in the county of Ingham;

Of Levi N. Goodrich and 24 others, tax-payers of the township of Concord, in the county of Jackson;

Of the township board of Sylvan, in the county of Washtenaw;

Of the township board of Aranac, in the county of Bay;

Of the township board of Bedford, in the county of Wayne;

Of the township board of Easton, in the county of Ionia;

Of the township board of Owosso, in the county of Shiawassee;

Of Philemon Kent and 49 others, electors of the township of Barry, in the county of Barry;

Of David Sanford and 64 others, tax-payers of the township of Flushing, in the county of Genesee;

Of the township board of Denmark, in the county of Tuscola;
Of John Byrne and 27 others, inhabitants of the township of Marlet, in the county of Sanilac, asking that the action of said town in reference to the issuing of bonds and borrowing money for the pay of bounties to volunteers, be legalized, and that they be authorized to assess, levy and collect the necessary taxes for the payment of the same;

Of A. C. Folsom and 13 others, inhabitants of the township of Arcadia, in the county of Lapeer;

Of B. A. Lumbard and others, on behalf of the citizens of the township of Green Oak, in the county of Livingston, asking that taxes voted by said township, for the payment of bounties to volunteers, be legalized;

Of the city of Coldwater, asking that the bonds issued by said city, for the payment of bounties to volunteers, be legalized;

Of Jesse Eeles and 35 others, citizens and tax-payers of the township of Atlas, in the county of Genesee, asking for the passage of a law authorizing said township to assess and collect a tax of two thousand one hundred dollars, for refunding bounties to volunteers, paid by citizens;

Of the city of Owosso, asking that the action of said city in the issuing of bonds for the payment of bounties to volunteers, be legalized, and that they be authorized to raise, by tax, the necessary amount for the payment of the same;

Of the board of supervisors of Kent county, asking for the passage of a law granting State bounties to veteran volunteers;

Of C. N. Streeter and 90 others, freeholders and electors of the township of Windsor, in the county of Eaton, remonstrating against legalizing the proceedings of a meeting of the electors of said town, in raising money for the payment of bounties to volunteers, and the commutation of drafted men;

Of R. J. Wright and 73 others, electors of the township of Port Huron, in the county of St. Clair, asking for the passage of a law authorizing some loyal persons other than the township board, to issue the bonds of said township for the purpose of raising money with which to pay bounties to volunteers, said

township board having refused to issue the bonds already voted by almost an unanimous vote of the electors of said township, called by said board for that purpose;

Of W. H. Parker, prosecuting attorney, in accordance with the resolutions and instructions of the board of supervisors of Ottawa county, asking for the passage of a law to legalize the action of said board, and of the several townships of said county in relation to volunteers;

And to whom was also referred, on the part of the Senate, the following bills, to wit:

A bill to confirm and legalize the tax and tax rolls of the townships of Sheridan and Albion, in the county of Calhoun, for the collection of the taxes voted, assessed, and spread on the tax roll of said townships for the purpose of raising the money voted in said townships for the pay of bounties to volunteers;

A bill to legalize certain indebtedness incurred by the township of Hillsdale, for the payment of a bounty to volunteers, under the President's proclamation of Oct. 17th, 1863;

And to whom was also referred, on the part of the House, the following bills, to wit:

A bill to authorize the board of supervisors of Wayne county to make a temporary loan for bounty purposes;

A bill to provide for raising money, or issuing bonds, by towns and cities, to pay bounties to volunteers;

A bill to provide for refunding bounties paid by citizens of Kalamazoo to secure the enlistment of volunteers in the military service of the United States;

A bill to provide for paying or funding the bounty fund raised by the citizens of East Saginaw;

A bill to provide for refunding bounties paid by citizens of the township of Hastings, in the county of Barry, to secure the enlistment of volunteers in the military service of the United States, since the first day of August, 1863;

A bill to legalize the action of the electors of the township of St. Joseph, in the county of Berrien, and to provide for issuing the orders of said township to pay such amount of volunteer

bounty, as was authorized by such electors, at a special meeting held in the month of December, 1863, to be paid to recruits enlisting under the last call of the President of the United States for 300,000 men;

- A bill to authorize the city of Coldwater to provide bounties for volunteers;

Having had under consideration all of the foregoing petitions, memorials and bills, as well as various other papers and documents, giving statements of proceedings in different towns and counties, and all of which have reference to the general subject of bounties to volunteers, respectfully

REPORT :

As may well be supposed in a matter of such importance, and one which could not fail deeply to interest every loyal citizen of Michigan; and in the absence of all legal enactments authorizing the raising of city, town and county bounties, by which alone the inhabitants of such municipal corporations could hope to escape a draft in filling their respective quotas of the 300,000 volunteers, ordered by the President of the United States, their separate action upon the subject would be quite sure to differ very widely, one from another. This your committee have found to be true. And whilst they have had before them *seventy-nine* petitions and memorials, and *ten* bills, from all parts of the State, asking for such legislation as would meet their respective views and wishes, they do not find hardly any two which present the same facts, or ask for precisely the same legislation in terms. The general facts, however, which the committee glean from these petitions and memorials are, that without law, the patriotic citizens of the State have spontaneously come together in various forms and under different calls, to meet a great public exigency by such acts and means as were within their reach. In some cases a form of law has been given to the proceedings for raising money and obtaining credit, to pay bounties, and thereby avoid a draft; and in others, individual contributions have been freely made, and both

money and credit loaned and pledged—without stint—almost every one seeming to rely upon the patriotism, the loyalty, the sense of justice, of equity and of right, rather than upon the letter of the law, to induce, in due time, the whole people and the Legislature of the State, to make good in law, that which had been done under such strong and pressing necessity, without law; and especially so, as the sole purpose was thereby to secure the best interests of the whole.

Although the petitions and memorials referred to the committee, in almost every instance, ask for special enactments to meet their own particular cases, yet the general tenor of the whole is an urgent appeal to this Legislature to legalize all their acts and proceedings of the past, having reference to the borrowing of money, the raising of money by taxes, or the issuing of scrip, orders, bonds, or other evidences of indebtedness, for the purpose of raising the necessary means of offering such bounties to volunteers as would thereby avoid a draft; and, for the future, to make such provisions as would obviate the necessity, under any similar emergency, of any departure from the strict letter of the law.

And although it may be extremely difficult to frame a general law that will meet the views of all the petitioners, and cover every individual act of the past, sought to be legalized, yet in view of the limited time of this Legislature, and of the arduous task that would be imposed upon it, should such a course of legislation be pursued, your committee have deemed it advisable to embody, in a general bill, such provisions as they hope may be sufficient to meet the necessities of the case, and the views of the petitioners, and such as they believe are in accordance with the recommendations of the Governor; and which they have endeavored to do in the bill herewith reported.

But if, in the opinion of any of the members of either branch of the Legislature, who may have presented bills which have been referred to this committee, and are now reported back with a recommendation that they do not pass, the bill now reported does not cover all that they desire, then there will be

ample opportunity for such bills to be again referred, and hereafter specially acted upon, in cases where such course may be deemed expedient.

In regard to the effect of the bill now reported for the purpose of legalizing the past acts and doings of the people in the several municipal corporations of the State, they do not feel called upon in this report to express an opinion, or even to consider, very critically, in connection with the duty with which they are now charged. But in view of a possible doubt as to the irregularities or illegalities of those proceedings being entirely cured by the legislation herein recommended, your committee have deemed it advisable and expedient to provide that the several municipal corporations shall now have the right to raise money by taxes, or to issue scrip, orders or bonds, or other evidences of indebtedness, to meet or cancel expenditures or debts already incurred in the payment of bounties to volunteers, if they shall deem this to be the safer course.

And as many of the townships and city wards may not yet have raised their full quota under the present call, the committee deem it proper that they should now have the right, by future action, to provide bounties for volunteers; and a provision is accordingly inserted in the bill authorizing them to do so in a sum not exceeding *two hundred dollars* to each volunteer, that, perhaps, being a fair average, if not a maximum, of the bounties already paid.

But the Governor has also called the "attention of the legislature to the question of the propriety of providing, by law, a uniform rule, by virtue of which bounties may hereafter be raised without the irregularities which have heretofore occurred;" and your committee are clearly of the opinion that such provisions should now be made. In regard to the particular mode of this provision they are, however, inclined to differ somewhat from the views entertained by the Governor, as expressed in his message; for while they admit the correctness of his opinions in regard to the advantages of local bounties

for procuring enlistments, they, at the same time, believe that State bounties are not without their advantages; and they have accordingly provided for a State bounty of *one hundred dollars*, and for a local, or township bounty, not exceeding a similar sum, to be paid to volunteers who may hereafter enlist on any subsequent call of the President of the United States for troops during the present rebellion. Whilst the committee were somewhat divided in sentiment in regard to these two modes of raising bounties, it was finally conceded that the course adopted would have decided advantages over either an exclusive State or local bounty.

There are several other subjects which have claimed the attention of the committee, and which have been brought to their notice by the petitioners.

The Legislature is asked to enact a law whereby the State shall assume and pay to the cities, towns and counties, as well as to individuals, all the sums of money which they may have paid, or which they may have become liable to pay, on account of bounties to volunteers. The committee are unanimously of the opinion that, under the circumstances, such legislation is neither judicious nor expedient, and they therefore do not recommend it.

Among all the petitions referred to your committee, they find, one only asking for the passage of a law authorizing towns and counties to refund to drafted men commutation money paid by them; and upon this they report adversely to the prayer of the petitioners.

The petition of the board of supervisors of the county of Kent, as well as some others, ask for the passage of a law granting State bounties to veteran volunteers. Your committee are deeply sensible of the great and lasting obligations which the government and the people are under to those brave and devoted men, who have so freely, at the call of their country, periled their strength, their health, their lives, in her behalf, and who, to perfect the great work so nobly commenced by them, are again voluntarily offering themselves anew, a willing sacri-

fice for their country's weal. But in view of the fact that they are now allowed, in addition to all local bounties, a State bounty of fifty dollars from the war fund of this State, provided at the last session of the Legislature, which is not paid to other volunteers, as well as a further bounty of four hundred dollars allowed them by the General Government, being one hundred more than is received by other volunteers; and in view also of the fact that although having enlisted in the beginning, for the term of three years, the government has given them an honorable discharge, after serving but little more than two years, and has granted them a furlough of thirty days upon their re-enlistment, and has also paid their expenses home to the place of their rendezvous, your committee do not think that it is expedient at the present time, to make further provisions in their behalf, and they have not done so in the bill herewith submitted.

Another subject of much importance, incidentally brought to the notice of the committee, has engaged their attention. A practice has prevailed, with almost perfect impunity, and to an alarming extent, for volunteers to be taken from the towns and counties where they belong, and where they are enrolled, by selfish, evil disposed, and wicked persons, and conveyed to towns and counties where they are disposed of—in fact, sold—to persons who, if less criminal than the actual perpetrators of this wrong, are no less selfish and lawless; and in many instances this is done where volunteers have already received their bounties in the localities where they belong. In some cases this is alone the criminal act of the volunteer, and in others he is but the subject, whilst some officer of the government, or other person in some way connected with the enlistment, is the actual criminal. And this offence, in some instances, is undoubtedly repeated more than once, with the same recruit. The perpetrators of this wrong, whether “sellers” or “buyers,” should not only meet the indignation and scorn of all just and honorable men, but the severest penalties of the law

should be inflicted in every case where it can possibly be made to reach the offenders.

Your committee, however, have not been able, in the bill reported, to provide a remedy for this evil.

Your committee therefore herewith report back to their respective branches of the Legislature in which they were presented, the various petitions, memorials and remonstrances, referred to them, together with the accompanying bill to carry into effect the recommendations herein contained, the passage of which they recommend.

They also report back the several bills referred to them, which bills they recommend do not pass, as the provisions of such bills they believe to be substantially embodied in the general bill, the passage of which they have already recommended, so far, at least, as such provisions can be so incorporated and embodied, consistently with the views of the committee.

All of which is respectfully submitted.

HENRY H. CRAPO,

Chairman of Senate Committee.

HENRY B. DENMAN,

Chairman of House Committee.

The report was accepted and committee discharged.

The bill reported by the committee was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

The several bills reported back to the Senate, by the committee, were laid on the table.

By the minority of the select joint committee on soldiers' suffrage:

The undersigned, minority of select joint committee appointed by the two Houses, to report a bill to allow qualified electors of the army and navy to vote, respectfully beg leave to make the following report.

In obedience to the instructions given to such joint committee, the undersigned minority, united in action with the majority, in reporting a bill to authorize the citizen soldier of Michigan,

under orders, to vote by proxy, at any general election held in the township or ward in which such soldier has a residence, and in uniting in reporting such bill, we made no recommendation; but only so united to obey the injunction of the Senate, to report a bill, reserving the right to make such further report as to us should seem mete and proper.

And while we do most earnestly desire to extend that priceless privilege of the elective franchise to every citizen elector of our State, and especially our unflinching and patriotic soldiers, and would almost yield all but the violation of our oaths and a breach of the fundamental law, that main arch on which alone, in our opinion, rests our entire State government and its sacred institutions, to secure that privilege to them. Yet we realize, as discreet servants of the people, that it becomes our duty to fully understand and measure our responsibility not only to ourselves, but to our constituents, our posterity and their posterity, our government and our God. We should not, therefore, allow our zeal for, and sympathy with, our suffering, bleeding soldiers, to rush us with violent impetuosity on the rock that shall wreck and destroy all.

Therefore, in order to more fully understand our duty in the premises, we respectfully desire to invite attention of the Senate to that clause of the Constitution, perhaps the only one about which members of this Senate will differ in relation to this subject, and to compare it with the similar clause in the respective constitutions of the States of Connecticut, Pennsylvania, New York, Iowa and Wisconsin, where similar questions have been raised and decided by the courts.

In the Constitution of Michigan, Art. 7, Sec. 1, these words are made use of: "No citizen or inhabitant shall be an elector or entitled to vote at any election unless he shall be above the age of twenty-one years, and has resided in this State three months, and in the township or ward in which he offers to vote, ten days next preceding such election."

In the Constitution of Pennsylvania, Art. 1, Sec. 3, is to be found this language: "Every white freeman of the age of 21

years, having resided in this State one year, and in the election district where he offers to vote ten days immediately preceding such election, &c., shall be entitled to vote." It will be seen that so far as the place and offering to vote is concerned, it is just like that of Michigan, with this difference, which is, in our judgment, a difference without a distinction, Pennsylvania using the word "where" he offers, and Michigan "in which" he offers to vote.

In Connecticut the Constitution is substantially the same as Pennsylvania, with less difference from Michigan, if possible.

New York has a Constitution which is almost precisely like that of Michigan.

But in Iowa, the Constitution is much more unguarded, and essentially different. The wording of their Constitution is in this language: "Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the State six months next preceding the election, and of the county, in which he claims his vote, twenty days, shall be entitled to vote at all elections which are now or [may hereafter be authorized by law.

Now, conceding that the soldier does not lose his residence in that State by entering into the service, which is true, by going beyond the limits of the State, we ask, does not the words "claims his vote," used in the Constitution of that State, essentially remove the restriction that would be placed there by substituting therefor the words, "in which he offers to vote?" We think it does. We believe it to be possible for a man to claim a thing to be his in a particular place in this State, while he is personally outside and beyond the limits of the State, but we cannot see that it would be possible for him to offer that thing himself at that particular place in this State on a particular day, when thus personally away from that place and outside of the State. It appears to us there is a plain distinction. Then, if we be right, in drawing this distinction, the Legislature of Iowa might perhaps exercise the power of providing a way for such soldier to make such claim.

but in that case we fail to see that the Legislature has anything to do with giving him the claim, but simply provide a method for him to make it. Certainly then the Legislature has done nothing upon that point by implication. The right to claim is provided for by the Constitution.

The reports of the minority, in quoting the language of the Supreme Court of Iowa, says the Court of Iowa, in the case above referred to, remarks that the constitutions of Michigan, Ohio and California contains no such express provisions or restrictions.

We here respectfully submit the language of the court in that State, in the case of the State of Iowa *ex. rel.* Wilson vs. Burt. The court says this: "in the language of the case in Connecticut, the constitution of that State prescribes with that particularity which forbids all action by the Legislature," and then further remarks "that the constitution of Louisiana declares that "no person shall be allowed to vote at any election held in this State, except in the parish of his residence, and in cities and towns divided into election precincts, that of his residence, and not elsewhere," and further says a similar provision is contained in the constitution of Illinois. But the constitution of Michigan, Ohio and California, on the other hand, contains no such express provisions or restrictions, and are not so entirely unlike our own.

But the court further remarks, the words of the instrument, our constitution, must not be forgotten, added to nor changed. What weight should then be given to the word claims? To claim a thing, is to demand a right or a supposed right. When the right is asserted, it is claimed, though it may not be granted. It may be asserted by words, or by any other means. Etymologically, it by no means implies that place or presence are essential to its potency or completeness. On the other hand to "offer" to do a thing, is to bring to or before, to present for acceptance or rejection, to exhibit something that may be taken or received or not.

In Wisconsin their constitution is quite as unguarded as that

of Iowa. It provides that every male person of the age of 21 years or upwards, belonging to either of the following classes, who shall have resided in the State for one year next preceding any election, shall be deemed a qualified elector at such election.

1st, White citizens of the United States. 2d, White persons of foreign birth, who shall have declared their intention to become citizens, conformably to the laws of Congress on the subject of naturalization. 3d, Persons of Indian blood who have once been declared, by law of Congress, to be citizens of the United States; and 4th, Civilized persons of Indian descent, not members of any tribe : *Provided*, The Legislature may, at any time, extend the right of suffrage to persons not herein mentioned.

It will be readily seen by examining this Constitution that no place for voting at such election is fixed ; the only article of that Constitution alluding to the place of voting, is the one providing for persons residing upon the Indian lands within any county of the State. That article provides that such persons, if qualified to exercise the right of suffrage under the Constitution, shall be entitled to vote at the polls which may be nearest their residence : *Provided*, That no person shall vote for county officers out of the county in which he resides.

Therefore, it is very plain that in the case of the State, *ex. rel.*, Chandler vs. Main, the Supreme Court of Wisconsin decided correctly, in stating that the proviso did not mean to prohibit the voter from being allowed to cast his vote outside of the county in which he resided, for that right certainly belonged to the voter, under the Constitution, if he resided upon any of the Indian lands, within any county of that State, as was shown he did, no other correct ruling could be made by the Court ; there was the positive, plain language of the Constitution, and its mandates were only obeyed by the Court in that case. The Court there say that the proviso only prohibited the voter from voting for offices of a county in which he did not reside, but might vote for State or United States officers.

This, to us, appears all right ; the Court, in so holding, done

no more than to discharge a constitutional duty, no more than to give the voter his constitutional right. The question of the powers of the Legislature of that State to pass a law for opening election polls outside of the limits of the State, were not raised or decided by the Court at that time, but only the question of the voter's right to vote for officers in his own county at the election polls of another county, a question already settled by the Constitution. Then we submit that it can have no forcible bearing upon the question presented in the bills to allow soldiers to vote, already reported to this Senate.

The undersigned beg indulgence once more to repeat, that in the States of Iowa and Wisconsin, no such positive restraints and limits are placed upon their Legislatures by the Constitutions of those States, bearing upon this question, as is to be met with in the Constitution of this State.

We desire to say that we do find that in the States of Pennsylvania, Connecticut and New York, questions not differing from the one involved in these bills have been raised and decided by the Supreme Court in the two first, and in New York the bill passed both branches of the Legislature, involving the same principles and question as the one reported to this Senate, known as the Proxy Bill, and it was vetoed by the Governor of that State.

In deciding the matter in Pennsylvania, it was held, that the plain common meaning of the clause in the Constitution bearing upon this question is manifest, the voter must offer his vote where he resides. The Constitution is expressed in words familiar to the million. These words must have their plain, obvious and natural meaning. Constitutions require a strict construction. The words of the Constitution furnish the only test to determine the validity of a statute.

And upon this question the Constitution requires four things :

- 1st. The elector must be a resident.
- 2d. That he shall have resided in an election district.
- 3d. That his residence shall have been in the election district where he offers to vote.

4th. That he shall have resided in such district ten days immediately preceding the election.

The residence of the voter is his fixed permanent home, from which he enlisted, when he entered the military service. See Story on Confl., page 50 to 51; 43 of Maine Rep., 406; 10 Pickering; 11 Mass., 350. That the Constitution does not in any way authorize an election to be held outside of the State of Pennsylvania. The right of suffrage can only be exercised at such place within the State as may be appointed by law. The necessity whereof will be seen in the fact that the election law provides penalties for fraud and illegal voting. Heavy fines and imprisonment in many cases, which penalties cannot be enforced for offences committed outside of the State, an indictment will not be for an offence committed within the jurisdiction of any other State. See 3 of Seld., N. Y., 295. State laws have no binding force beyond the territorial limits of such State.

The Legislature cannot assert jurisdiction of soil which does not belong to it. See Story on Confl., sec. 7, page 539. The different States of the Union are as independent of each other in point of jurisdiction, as Nations. The courts of this State have no jurisdiction over offences committed in an other State. See Constitution of the United States, sixth amendment, which provides that in all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law. It will very readily appear, therefore, that jurisdiction over crime committed in another State, is positively withheld from being exercised by this State, in that amendment of the Constitution of the United States. This principle has been directly ruled and respected by all the highest judicial authorities. Crimes and misdemeanors committed within each of the United States, are punishable only by the jurisdiction of that State where they arise. See Commonwealth vs. Clary, 8 Mass., 72. All checks and guards provided by the

election law, are nullities outside of the State limits. Otherwise, if this were not so, opportunity for, and incentives to the commission of frauds are enormously increased, a policy not in accordance with the spirit of the fundamental law of our Nation.

The "lex loci" must needs govern all criminal jurisdiction, from the nature of the thing and the purpose of the jurisdiction. (See Story on Conf., 620.)

Laws of a country have no binding force beyond its territorial limits. (2 Kent's Com., 8 Ed., 579.)

Applying these principles to these bills, now in the hands of the Senate, and it would seem to us they cannot fail to impress Senators with their direct bearing upon such bills, and of the impracticability of passing them.

We cannot believe the framers of our Constitution could have intended the exercise of such powers by the Legislature as is sought to be exercised and reached by these bills, or they would have been more explicit and clear in defining such authority, instead of leaving no chance of inferring it, as they have, by no reasonable or fair implication. It does seem they would have more wisely pointed out the way in well defined language, to enable the Legislature to steer clear of the multitudinous and complicated difficulties now in the way.

If we apply the rule laid down in the Pennsylvania case, and give the words of the Constitution their plain, obvious and natural meaning, there can be no difficulty in determining our duty and proper action in this case, our Constitution and that of Pennsylvania agreeing so nearly as to admit of no practical difference on this point. We shall then find—

1st. That our soldiers now in the field, outside of the State, still hold their residence here, at the very place in the township or ward in which their fixed home was when they entered the military service, from which such soldier volunteered, enlisted or was drafted, and may immediately enjoy and exercise all the rights and privileges of a resident of such township or ward on returning to such home or residence.

2d. We find that his residence being here, in some township or ward in Michigan, and he down in the State of Virginia, he cannot exercise the right of voting there at an election held here in his township or ward, for if he votes there, or offers to vote there, it is not offering his vote in the township or ward in which he resides.

3d. As every elector must reside in the township or ward in which he offers to vote, or offer his vote in the township or ward in which he resides, it is plain that he can neither vote nor offer to vote in Virginia legally, but must vote where his fixed home and residence is, if he vote at all, unless, indeed it be true that the Legislature has power to send the ballot box and open an election poll in another State or country, where neither the elector nor the inspector has a residence, as is claimed here in this capitol by high authority, it may. Then, perhaps, such elector might vote, but we dissent from that high authority, and reject the theory as untenable and unsound, the theory being, as we understand it, that the Legislature has power under the constitution to do all things which are not expressly forbidden by the constitution. If this be so, then surely, if the Legislature is to pass a law to go into another State, and open an election poll to enable resident electors of Michigan to vote in such other State, the Legislature should certainly provide at the same time for taking the township or ward in which such electors reside, along to the place in such other State where said election poll is to be opened. This may be done upon that theory, for certainly the constitution no where forbids it to be done. Moreover it would seem to be eminently proper; for then, what the constitution positively requires of the elector, to-wit: that he offer his vote in the township or ward in which he resides, could be complied with by such elector. Following this theory a little farther, we would very respectfully submit, for the consideration of Senators, a suggestion that there are a great many things which the constitution does not forbid to be done. It does not forbid women and children's voting, and a law passed by the Legislature allowing them to vote, would

largely augment the number of electors in the State. But, as we have said before, we reject this theory, and do not recommend the passage of a law with the improvements we have suggested.

In returning, however, to a more serious consideration of the subject, we conceive it to be a very unwarrantable stretch of implication of the powers intended to be conferred by the constitution, to open in another State an election poll. It would have to be done, of course, if done at all, by the consent of the people and authorities of that State. But suppose the election poll, by this magical power of implication, be opened in another State and the resident Michigan soldiers present themselves to the inspectors and offer to vote. We ask of Senators, if that would be offering to vote in the township or ward in which such soldiers reside in Michigan? Would it, if this inquiry be answered in the affirmative, be giving to the constitution, its plain, obvious meaning? Would it be giving to it a strict construction? We leave Senators to answer these questions by their votes. Then everybody can hear their Yes or No.

If, then, the States of Iowa and Wisconsin have thought they might exercise those powers under their Constitutions differing so widely, and, as we think, materially from ours, while Pennsylvania, Connecticut and New York, having Constitutions much the same, and agreeing so nearly with that of ours, have each thought that no such powers as are contemplated by these bills could be exercised by the Legislature of those States, what other conclusion can we arrive at from these precedents and the plain, clear language of our Constitution, than that no such power is given to this Legislature by express terms or reasonable implication.

To us there are plain and palpable confliction with the bills and our Constitution, and to pass them, if such confliction does exist, would be but to injure ourselves, sooner or later, our constituency and the credit and capacity of our State for legislation, without permanently effecting any good to our valient

soldiers in the field. It would be but inspiring them with feelings of exultation at the thought of exercising the privilege of voting, to soon be upset and overturned by our courts.

We are aware that it is held by honorable Senators on this floor, and was claimed by the minority report of this select committee, already submitted to the Senate, that we should pass one of these bills, if doubts of our authority to do so did exist, and let the courts decide. With that policy and course of obtaining legal enactments, we widely differ. We believe our duty as legislators to be to pass laws conformable to the Constitution, as its strict construction shall most clearly seem to direct us; that we have taken an oath to do. Therefore, if we vote for a measure in conflict with it, or for one overspreading our minds with strong doubts of its agreement with that instrument, we hold that we should be doing a wrong, if not violence to our oaths; should be establishing a precedent of loose legislation that would not only be dangerous, but a disgrace to any intelligent community.

That doctrine, in our judgment, is wrong which holds it to be the duty of legislators to vote indifferently or carelessly to promote any interest, and we should deeply deplore the condition of things that should witness the inauguration of such a policy in our State, and earnestly pray that it may never happen.

We are not unmindful of the solicitude there is felt for the soldiers, and the anxiety there is to allow them the electors' privilege, but we cannot think it will do to make their case the exception in legislation. Precedents once established in legislation, no matter upon what subject, must have their influence.

Again, it is difficult to see how we could find satisfactory excuse for ourselves, were we to attempt to smother our convictions and disregard our doubts in voting for any measure. Could it be by urging the great and pressing importance of the measure to accomplish some imaginary or real good? or that we knew the powers above us, the courts, could correct it, and by our voting for it, we could at all events show our sympathy

with it. That would not be satisfactory with us, and we must reject the policy; we believe the patriotic soldier on returning to his dear home and fireside, were we to act upon that policy, in voting for either of these bills, would denounce us as unwise and incompetent to legislate for the people; would charge us with setting a precedent of disregard of law at home, while pretending to give encouragement to him in fighting and bleeding to maintain obedience to and respect of our national law away from home in the wicked conflict and rebellion of the South. No, when it shall be rightly understood by our noble soldiers, they will not, we believe, ask or expect such a thing at our hands. It would be departing from the teachings of the patriot sages and fathers of our government, would be cutting loose from that anchorage, sure and steadfast, fixed by them for our safety.

We next pass to present a few views entertained by us of the bill reported by the majority of select committee, of the proxy bill.

Our opinion is that the only true construction which can be given to the constitution as authorizing an elector to vote at an election held in the township or ward in which such elector resides, cannot by reasonable implication be construed to mean that such elector may vote by proxy; and we have sought in vain for any authority, by implication or otherwise, giving the Legislature power to pass this bill.

We do find, however, by article 7, section 6, of the constitution, that laws may be passed to preserve the purity of elections, and to guard against the abuse of the elective franchise. This, in our judgment, clearly indicates the intention of the framers to call the attention of the Legislature to the importance of providing laws to guard against all illegal voting, as well as all dangerous modes of voting. If so, then surely it would seem they could have no intention of conferring authority to pass a law allowing votes to be cast by proxy. The light of all experience hath shown that with all the most stringent guards yet thrown around the ballot box by any

State or country, enormous frauds have been committed, where all votes cast were so cast in person by the electors, as all or nearly all constitutions require them to be. Can we then expect that a bill like this, if it should become a law, would in any way give greater security to the purity of elections, or be any guard against the abuse of the elective franchise? If not, and we do not see that it could, then we can not imply that the constitution authorizes by that section the passage of it. But we think the reverse would be true if this bill was to pass. We think that the extent to which so great a temptation to get votes would carry designing, aspiring demagogues, that the purity of elections in Michigan would measurably disappear, and the abuse of the elective franchise would become general.

In our opinion, one very strong guard would then be thrown off by the Legislature, and if we may throw off one by allowing a part of the electors to vote by proxy, then indeed may we throw off all, and thus our whole system of elections become a farce. We cannot see that any less objections exist to the constitutionality of this bill, than to the one allowing the vote of soldiers to be taken in the field in another State.

We wish to briefly notice a very few of the many impolitic and inexpedient things which would be met with in the execution of a law of this kind. It provides, in substance, that any resident soldier outside of the State, or in the State, if under orders, may vote at any election in this State by proxy. That such soldier shall seal and transmit his ballot, together with an oath or affirmation, taken and subscribed before the proper military officer, in which oath or affirmation he shall set forth and comply with the statutory provision for the oath of an elector, to his proxy, at any time after the nominations for officers are made, and before the day of election; for the vote must be presented there on that day; and in order to insure its being there on that day, in very many instances it would be necessary to send it by mail or messenger, at least 20 days before election day,—and then we will suppose the case, which would be found to be true, in very many instances; that within

a day or two after sending such ballot, and before the day of election, the soldier gets killed or dies of disease, and it should not be known to the proxy or the Board of Inspectors that such principal was dead, and the proxy should present the ballot and oath, setting forth that the principal is a resident of some township or ward in Michigan, that he was a white male citizen of the United States, 21 years of age; that he has resided in this State 3 months, and such township or ward ten days next preceding that election day; and should the inspectors thereupon, as they would be bound to, deposit the ballot in the ballot box, would it, we submit, be offering the ballot by such soldier in the township or ward in which he lives or resides, on that day, for that is the day on which the vote must be offered? We think it would not. It most certainly would be the ballot of no resident of Michigan, but would be but a piece of paper prepared by one, who, in his lifetime, was a resident of Michigan. It would, in other words, be allowing dead men to vote; a thing heretofore unknown in the history of our country, and a thing, as we believe, to be absurd for any, however eager they may be for the passage of this bill, to claim as a legal vote and the true policy, as derived by implication from the Constitution. Still, in this we may be mistaken, for nowhere in the Constitution do we find a positive prohibition to dead men voting.

But we will suppose the soldier to live, who votes as above stated. We submit for the consideration of Senators whether it would be offering to vote by the elector in the township or ward in which he resides. Does not such soldier offer to vote where he takes the oath and seals up his ballot, and transmits it to his proxy? We think he does. And when his proxy presents the ballot to the inspectors, in the township or ward where his principal has a residence, on the day of election, he is but depositing the ballot of such principal, offered and voted to all intents and purposes, ten, fifteen or twenty days before the day of election. That we, hold, is not, nor indeed

cannot be, an offering to vote in the township or ward in which such soldier resides on that day.

Thus it would be seen that in the first case supposed, officers would be elected or candidates defeated by dead men's votes; and in the other case they would be so elected or defeated by votes offered and voted a great number of days before the day of election.

We cannot but indulge the belief that honorable Senators are not yet prepared to usher in a system so unwarrantable, the elaborate report of the minority to the contrary notwithstanding.

The undersigned would gladly desist from following the subject further, did we not feel it to be our duty to do so, and point out a few more things which appear objectionable to the passage of this bill. We now desire that the opposing candidates for an important office should bring their influence to bear upon our soldiers in the field, as they certainly would if either of these bills should become a law. Would that influence, which would be in the shape of money or something valuable, of course, an inducement or temptation held out, would it, we ask, be productive of good in the camp? Would it be likely to make the noble soldiers more honest, patriotic and efficient? Would not many an honest youth, not now under the kind and protecting guardianship of a fond father or mother, be tempted and lured into meshes of ruin by unscrupulous and designing men? It is well known there are great numbers of boys and young men among our soldiers, from eighteen to twenty years of age. Some have parents living, while others are the sons of widowed mothers, and still there are others who are orphans; now with what ease those boys, or some of them, could be induced to swear that they were twenty-one years of age. None of us can tell.

But we can tell this, that there would be very great danger that many of them would—men in the scramble for office, especially after getting the nomination, often become so anxious to secure the election that they become quite unscrupulous, and

not unfrequently send out agents and emissaries to secure votes, more unscrupulous than themselves.

Should this bill pass those boys and young men would be strongly besieged by this class of men, in our judgment, and great numbers would yield to their pressure and the temptations held out to them, and they would forward their names to some township or ward in which they have a residence as provided by this bill, to be registered, and then take the oath prescribed, that such electors are twenty-one years of age, when in fact they are not yet twenty. Thus it would be seen those young men and boys would be drawn into the commission of the great crime of perjury, the ballot-box stuffed with illegal votes and the election carried by that species of corruption.

We respectfully ask Senators whether it would not be better that the soldiers of Michigan should be obliged to forego the freeman's privilege of voting until they return to the townships or wards in which they reside, than that but very few of such illegal votes should find their way to the ballot-box; certainly, in case any such votes should find their way into any ballot-box of this State, it could not be claimed for this bill that it protected the purity of the election, or guarded against fraudulent exercise of the elective franchise, as provided by section 6, art. 7 of Constitution.

The undersigned are further of the opinion that many votes would be cast under this bill in Michigan, by soldiers who are not now residents of the State, and who perhaps never have been or will be, but who for a few dollars are persuaded to send their application for having their respective names registered in some township or ward in Michigan, in which by such application it is claimed they have a residence, and at proper time forward their ballots and oath to some proxy or proxies pointed out to them as suitable person or persons to carry out the scheme of voting.

Against cases of this kind, it will be very difficult to guard. The proxy must present the ballot; there is the oath, and the name registered, and the inspectors, whether willing or not, on

account of knowing, or believing that no such person has a residence in such township or ward, must receive and deposit in the box the false and fraudulent ballot; they have no discretion to exercise, and indeed should have none; for to give to inspectors the right to use discretion, would be opening another gateway to abuse, and the exercise of power prejudicially. Thus it will be seen that instead of protecting the purity of elections, this bill almost entirely destroys such purity, in the cases alluded to above, and in other cases too numerous to enumerate here, and there is left no remedy for the punishment of these offences. The offenders and offences by which we are defrauded and injured, are each and all beyond the authority of our State to reach and punish. The offence is one committed in another State; we have no jurisdiction to reach the offender. Should we attempt it, and arraign the offender before any court of law, the accused would claim that personal right secured to them by the sixth amendment of the Constitution of the United States, and such court would be bound to respect it, and discharge the accused; then if the State in which the offence was committed should attempt to punish for such offences, that State could not, for it would be an offence against no law of such State, and thus it would be seen, the defiler of the purity of our election and the corruor of the elective franchise must be allowed to go unpunished.

It is true that in the minority report herein before alluded to, it is claimed that we may punish for such offences. From that opinion we, in the light of all past experience, the precedent established by the rulings and decisions of all the highest Judicial authorities and the comity of our system of laws, most respectfully dissent, especially when the offence be committed by one who is not a resident; nor then, unless we can get the offender back into the State; and then it would be a thing of the most questionable constitutionality. We are of opinion no offender would ever be punished in this world for such offences.

*In conclusion, we desire to say that we have glanced at but

very few of the many objections which might be presented to the passage of these bills.

All who will examine the subject unprejudicially, we believe, cannot fail to be impressed with the impolicy, inexpediency, and the unconstitutionality of those measures.

We cannot discuss this subject without pointing out one special objection we have to one section of the proxy bill. We allude to that section which requires a separate box to be provided for the receptacle of soldiers' ballots, by proxy—in our judgment it is to be susceptible of being construed into a distrust on the part of the Legislature of the constitutionality of the bill and its own enactments. We therefore hope that if such bill do pass, it may be with the proper correction in that section.

We, the undersigned, in submitting this report, cannot express any preference for one over the other, of these bills.

Having a desire to cordially yield and award due respect and deference to the opinion of others, more especially in matters of legislation, always holding ourselves in readiness to correct our errors, when in our power to do so, on being convinced of having erred, we place this report before the Senate in obedience to what we believe to be our duty.

First, because at the session of the Legislature of the State, convened at this Capitol, in January, 1863, the committee on privileges and elections, in both branches, reported against the constitutionality of one of those bills, and that report was fully sustained by the respective houses of the Legislature, and was cordially indorsed by us at that time, and we then voted for the adoption of the report made in the Senate on that subject. We were governed then by the reasons and principle set forth in this report. They were sufficient to determine our action then, and will be sufficient to determine them now.

Second, because we acted with the majority then, and unquestionably, unless honorable Senators have changed their minds, as expressed to the country through those reports, at that time, we shall act with the majority now. If Senators

have changed their minds on this subject, for reasons and causes, it seems the country is entitled to such reasons and cause.

Third, because we cannot see how it possible to pass either of these bills, if we are to pay any regard to Sec. 6, of Art. 7 of the Constitution, which provides we may pass laws to preserve the purity of elections and to guard against abuses of the elective franchise, and, we think to pass these bills or either of them, will corrupt and abuse those principles of the Constitution, instead of protecting them.

And fourth, because those bills are not in accordance with the genius and principles of a free government.

No government ever survived the vote of its armies. The governments of Rome, France, Mexico, and some others, all bear witness to this fact. The military powers and armies of no country can wield and control the election of civil officers, without giving to that government and its civil powers a great shock. No government has yet been able to withstand the shock, no matter how honest and intelligent its armies may have been. Let us then take heed and profit by the history of the past. Let us at all times, and by all means, give to our brave soldiers all the encouragement and privileges we can within the limits of our authority, and they will be satisfied. The more letters they read in camp, the more interest they take in the current events of the day, and the more they love their country and its perpetuity at heart, the better they will like and appreciate our acts, if we act wisely and prudentially within the scope of our jurisdiction, and will be contented with exercising the freeman's privilege of voting when this cruel war is over, and they once more return to their dear homes and bosom friends, disrobed of their military, and clad in the civil habiliments of life.

Therefore, believing as we do, that there is an express constitutional prohibition to prevent the passage of these bills, most respectfully report that, in our judgment, they should not pass.

WM. A. CLARK,
WM. E. WARNER.

The report was accepted.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 27, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bills:

1. A bill to authorize the city of Battle Creek and the several townships of Calhoun and Barry counties, to pledge their credit to aid in the construction of a railroad from the city of Battle Creek, in the county of Calhoun, to the village of Hastings, in the county of Barry;

2. A bill to amend an act entitled "an act to revise the charter of the city of Detroit," approved February 5, 1857;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles, and

The first named bill was referred to the committee on State affairs.

The second named bill was referred to the committee on banks and incorporations.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 27, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Whereas, B. H. Hill, acting Assistant Provost Marshal General of this State, has, by his arbitrary and insolent deportment to-

wards those having business to transact at his office, rendered himself so odious to the people of this State, that his longer continuance in office would seriously impair the recruiting service in this State, and be too gross an outrage to be tolerated; therefore,

Resolved, (the Senate concurring,) That our Senators and Representatives in Congress be requested to make an earnest effort to secure the early removal of the said B. H. Hill from said office.

Resolved, That the Governor be and he is hereby requested to forward copies of this resolution to our Senators and Representatives in Congress, and to Provost Marshal General Fry.

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Jerome,

The resolution was referred to the committee on federal relations.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 27, 1864. }

To the President of the Senate:

SIR—I am directed to transmit to the Senate the following entitled bill:

A bill to provide for the preparation of the soldiers' national cemetery, at Gettysburg, in the State of Pennsylvania;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment, for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Babcock offered the following:

Resolved, That the judiciary committee be and they are hereby requested to examine the act of 1861, and the acts amendatory thereto, relative to furnishing relief to families of volunteers, and report what amendments are necessary, in order to provide for the relief of the families of those volunteers who have been credited to counties other than those in which they resided at the time of their enlistment.

Resolved, That said committee be requested, if they deem amendments necessary, to ask His Excellency the Governor to submit the subject to the Legislature, by special message;

Which was adopted.

GENERAL ORDER.

On motion of Mr. French,

The Senate went into committee of the whole on the general order.

Mr. Grosvenor in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled joint resolution:

Senate Joint resolution No. 1, entitled

Joint resolution reative to the construction of an artesian well at the State Reform School;

Have directed tneir chairman to report the same back to the Senate without amendment, and recommend its passage.

E. O. GROSVENOR, *Chairman*.

Report accepted and committee discharged.

The joint resolution was placed on the order of third reading.

On motion of Mr. French,

The Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock P. M.

Roll called: a quorum present.

GENERAL ORDER.

On motion of Mr. Grosvenor,

The Senate went into committee of the whole on the general order,

Mr. Landon in the chair.

After so time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 4, entitled

A bill to authorize the formation of corporations for the running, booming and rafting of logs;

Have made an amendment thereto, and directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

R. W. LANDON, *Chairman*.

The report was accepted and the committee discharged.

Mr. French moved that the Senate concur in the amendment reported by the committee;

Which motion did not prevail.

On motion of Mr. Parker,

The rules were suspended, and the Senate took up the order of

THIRD READING.

Senate joint resolution No. 1, entitled

Joint resolution relative to the construction of an artesian well, at the State reform school,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,

Mr. Green,
Grosvenor,

Mr. Mears,
Monroe,

Blackman,	Hewett,	Moore,	
Buell,	Humphrey,	Parker,	
Corbin,	Jay,	Robison,	
Crapo,	Jerome,	Wait,	
Dow,	Lamb,	Warner,	
French,	Landon,	Watkins,	24
	NAYS.		0.

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

The bill, being House bill No. 4, entitled

A bill to authorize the formation of corporations for the running, booming and rafting of logs,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Gidley,	Mr. Mears,	
Babcock,	Grosvenor,	Monroe,	
Buell,	Hewett,	Moore,	
Corbin,	Humphrey,	Parker,	
Crapo,	Jay,	Robison,	
Dow,	Jerome,	Wait,	
French,	Lamb,	Warner,	
Green,	Landon,	Watkins,	24
	NAYS.		0.

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

The Senate adjourned.

Lansing, Thursday, January 28, 1864.

The Senate was called to order by the President at 10 o'clock A. M.

Prayer by the Rev. Mr. Tilley.

Roll called: a quorum present.

PRESENTATION OF PETITIONS.

By Mr. French: memorial of Geo. N. Cady and 90 others, taxable inhabitants of the township of Albion, Calhoun county, remonstrating against the passage of the act legalizing the proceedings had in said township, to raise money to pay boun-

ties, and asking a law submitting the matter to a vote of the people;

Also, remonstrance of T. Soule and 33 others, electors and tax-payers in the township of Sheridan, Calhoun county, against the passage of an act legalizing the proceedings had in said township, to raise money to pay bounties, and asking that if any law be passed, it may be one submitting the question to a vote of the people;

Which memorial and remonstrance were referred to the select committee on bounties.

By Mr. Hewett: petition of S. W. Alexander, John Le Barron and 28 others, of Clinton county, in regard to legalizing the issuing of town orders;

Referred to the select committee on bounties.

By Mr. Croswell: memorial of the township board of Tecumseh, Lenawee county, asking that the action of that township in raising bounties for volunteers, be legalized.

By Mr. Blackman: memorial of the township board of the township of Porter, in Van Buren county, asking for a law to authorize said township to levy a tax of 1,000 dollars to pay bounties, in pursuance of a vote of said township, at a special meeting, held January 22, 1864;

Which memorials were referred to the select committee on bounties.

By Mr. Croswell: memorial of a public meeting of colored citizens in the city of Adrian, asking that provision may be made for amending the Constitution so as to enable colored citizens of the State to vote;

Referred to the committee on privileges and elections.

REPORTS OF STANDING COMMITTEES.

By the committee on incorporations:

The committee on incorporations, to whom was referred House bill No. 9, being

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th, 1857,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. CRAPO, *Chairman.*

Report accepted and committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 28, 1864. }

To the President of the Senate :

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That the Secretary of State be authorized to cause 3,000 extra copies of the census returns and statistics for 1864, to be published in cheap book form, for distribution to township and school district libraries and the several State libraries,

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Grosvenor,

The resolution was referred to the committee on printing.

Mr. Jerome offered the following:

Resolved, That one thousand copies of the report of the majority of the joint committee on bounties, be and the same are hereby ordered for the use of the Senate.

Mr. Lamb offered the following as a substitute:

Resolved, (the House concurring,) That two thousand extra copies of the majority report of the select committee of the Senate, and committee of ways and means of the House, au-

thorized by concurrent vote of both branches, to act as a joint committee, and to whom was referred so much of the Governor's message as relates to the legalization of the action of towns and counties in raising bounties for volunteers, and to whom was also referred sundry memorials and petitions upon the same subject, be ordered printed for the use of both branches of the Legislature.

Mr. Babcock moved to strike out "2,000" and insert "1,000."

Mr. Lamb called for a division of the question;

The question being on the motion to strike out,

The motion prevailed.

The question recurring upon the motion to insert "1,000;"

Mr. Dow moved to amend the motion by inserting "1,500;

Mr. Jerome moved to amend by inserting "3,000;"

Which motion did not prevail.

The motion to insert "1,500" prevailed.

The question recurring on the adoption of the resolution,

Mr. Robison moved to lay the resolution on the table;

Which motion did not prevail.

The resolution was then adopted.

Mr. Landon offered the following:

Resolved, That the finance committee be and they are hereby instructed to report to the Senate the present condition of the war fund, and if further legislation is necessary to provide means for the payment of State bounties, contemplated in the bounty bills now before the Legislature, that they report a bill for that purpose;

Which was adopted.

Mr. Crapo gave notice that he would on some future day ask leave to introduce

A bill to amend an act to provide for the incorporation of railroad companies, approved February 12th, 1855, and acts amendatory thereto.

Mr. Moore offered the following:

Whereas, The Board of State Auditors were, by joint resolution No. 23, approved March 18th, 1863, authorized to adjust

and settle the claims of the State against the bail of John McKinney, late State Treasurer;

And whereas, The said board were unable to determine whether they had legal authority under the resolution above named, to discharge Allen R. Burr, one of said bail, without releasing the other sureties;

And whereas, Justice seems to demand that said Board be authorized to release and discharge said Allen R. Burr from his liability as such surety; therefore,

Resolved, (the House concurring,) That the Governor be requested, by special message, to recommend such action of this Legislature as shall confer the proper authority upon the Board of State Auditors, to release Allen R. Burr from further liability as surety in the case above named.

Mr. French moved to refer the resolution to the committee on State affairs;

Which motion did not prevail.

Mr. French moved to amend, by striking out the last subdivision of the preamble;

Which amendment was accepted.

The resolution as thus amended was then adopted.

Mr. Fowler gave notice that on some future day he would ask leave to introduce

A bill to authorize the township of Carmel, and other townships in the county of Eaton to raise a fund to pay money advanced by individuals, as a bounty to volunteers.

Mr. Fowler moved that Senate bill No. 2, being

A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and for other purposes, .

Be taken from the table, referred to the committee of the whole and placed upon the general order;

Mr. Clark moved to amend by striking out the words, "placed upon the general order," and inserting the words "made the special order for next Tuesday;"

Which amendment was accepted.

Mr. Jerome moved to amend the motion so as to include Senate bill No. 3, being

A bill to secure the elective franchise to the qualified voters in the army and navy from the State of Michigan;

Which motion prevailed.

The motion as thus amended, prevailed.

Mr. Crapo moved that the bill, entitled

A bill authorizing the payment of bounties to volunteers in the military service of the United States,

Be taken from the general order, and made the special order for 2 o'clock this afternoon;

Which motion prevailed.

GENERAL ORDER.

On motion of Mr. Jerome the Senate went into committee of the whole on the general order,

Mr. Jerome in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 9, entitled

A bill to amend an act entitled an act to revise the charter of the city of Detroit, approved February 5th 1857,

Have directed their chairman to report the same back to the Senate without amendment, and recommend its passage.

D. H. JEROME, *Chairman.*

The report was accepted and committee discharged.

The bill was placed on the order of third reading

On motion of Mr. Hewett,

The Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock P. M.

Roll called: a quorum present.



SPECIAL ORDER.

On motion of Mr. Warner,

The Senate went into committee of the whole on the special order,

Senator Lamb in the chair.

After some time spent therein, the committee rose, and through their chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 6, entitled

A bill authorizing the payment of bounties to volunteers in the service of the United States;

Have made several amendments thereto, but not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

J. M. LAMB, *Chairman.*

The report was accepted and the committee granted leave to sit again.

The Senate adjourned.

Lansing, Friday, January 29, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by Rev. Mr. Bryant.

Roll called: a quorum present.

PRESENTATION OF PETITIONS.

By Mr. Wait: petition of P. Marantette and 40 others, asking the passage of a law to allow the towns along the line of the Grand Rapids and Indiana railroad to issue bonds and levy taxes to aid in the construction of said road;

Referred to the committee on internal improvements.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred House bill No. 10, being

A bill to authorize the city of Battle Creek, and the several townships of Calhoun and Barry counties, to pledge their credit to aid in the construction of a railroad from the city of Battle Creek, in the county of Calhoun, to the village of Hastings, in the county of Barry,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

The report was accepted and the committee discharged.

The amendments were concurred in, and the bill referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 28, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bills:

1. A bill to authorize the several townships in any of the counties on the line of the proposed railroad, of the Grand Rapids and Indiana railroad company, to aid in the construction of said railroad;

2. A bill to provide for the payment of the officers and members of the Legislature, for the extra session for the year 1864;

3. A bill to authorize the several townships of Kalamazoo and St. Joseph counties to subscribe stock in the Schoolcraft and Three Rivers railroad company;

4. A bill to accept the grant of lands made to the State of Michigan by the United States, to aid in the construction of a military road from Fort Wilkins, Copper Harbor, to the Wisconsin State line, by way of Houghton, on Portage Lake, and to provide for the laying out and construction of the same;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles, and

The first and third named bills were referred to the committee on internal improvements.

The second named bill was referred to the committee on finance.

The fourth named bill was referred to the committee of the whole and placed on the general order.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 28, 1864. }

To the President of the Senate :

SIR—I am instructed by the House to transmit the following joint resolution:

Joint resolution expressing confidence in the President, and nominating Abraham Lincoln for a second term;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

Mr. Jay moved that the Senate concur;

Mr. French called for the yeas and nays;

The motion to concur prevailed, by a majority vote of all the Senators elect, by yeas and nays, as follows:

YEAS.

Mr. Blackman,
Buell,
Crapo,

Mr. French,
Green,
Grosvenor,

Mr. Lamb,
Mears,
Monroe,

Croswell,
Dow,
Fowler,

Humphrey,
Jay,
Jerome,

Moore,
Wait,
Watkins, 18

NAYS.

Mr. Adair,
Babcock,
Clark,
Corbin,

Mr. Gidley,
Hewett,
Landon,

Mr. Parker,
Robison,
Warner,

10

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 28, 1864. }

To the President of the Senate:

SIR—I am instructed to return t to the Senate the following entitled joint resolution:

Joint resolution relative to the construction of an artesian well, at the State Reform School;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The joint resolution was referred to the committee on enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 28, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following entitled bill:

A bill to authorize the township of South Haven, in Van Buren county, and other townships in the counties of Van Buren and Allegan, to make loans and levy taxes for the construction and improvement of the harbor at the mouth of South Black river, in said township of South Haven,

And to inform the Senate that the House has made the following amendments thereto:

Strike out the words "payable annually," in the fourth line of section two, and insert after the word "annum," in same line, the word "represented;" also insert after the word "coupons," in said fourth line, the words "in the usual form;"

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Warner,

The Senate concurred in the amendments made to the bill by the House, by a majority vote of all the Senators elect, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Clark,	Grosvenor,	Moore,	
Corbin,	Hewett,	Parker,	
Crapo,	Humphrey,	Robison,	
Croswell,	Jay,	Wait,	
Dow,	Jerome,	Warner,	
Fowler,	Lamb,	Watkins,	
French,	Landon,		26

NAYS.

0

The bill was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 28, 1864. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to authorize the county of Bay to issue its bonds to aid in the construction of a railroad from Bay City to East Saginaw,

And to inform the Senate that the House has amended the bill by striking out the word "road" where it first occurs, in

the third line of section four, and inserting the word "board" in lieu thereof.

Also, by striking out the word "board" where it occurs between the words "said" and "shall," in the same line, and inserting the word "road" in lieu thereof.

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Jerome,

The Senate concurred, by a majority vote of all the Senators elect, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Clark,
Corbin,
Crapo,
Dow,
Fowler,
French,

Mr. Green,
Gidley,
Grosvenor,
Hewett,
Humphrey,
Jay,
Jerome,
Landon,

Mr. Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Warner,
Watkins,

25

NAYS.

0

The bill was referred to the committee on enrollment, for enrollment.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Grosvenor gave notice that he would on some future day ask leave to introduce

A bill to extend the time for the collection of taxes in the townships of Rollin and Hudson, in the county of Lenawee, and the township of Pittsford, in the county of Hillsdale, for the year 1868.

Mr. Babcock, unanimous consent being given, introduced

A bill to legalize the action of certain counties in reference

to the payment of bounties to persons mustered into the United States service.

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole, and placed on the general order.

Mr. French, previous notice having been given, introduced

A bill to authorize the several townships, cities and incorporated villages in any of the counties on the line of the Amboy, Lansing and Traverse Bay Railroad, to aid in the construction of said railroad.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Lamb gave notice that on some future day he would ask leave to introduce

A bill to lay out and establish a road, to be known as the White Rock and Bingham State road.

Mr. Lamb gave notice that on some future day he would ask leave to introduce

A bill to making appropriations of swamp lands on the State road known as the Lapeer and Tuscola State road.

THIRD READING.

House bill No. 9, entitled

A bill to amend an act entitled "an act to revise the charter of the city of Detroit," approved February 5, 1857,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Corbin,
Crapo,
Croswell,
Dow,
Fowler,

Mr. French,
Green,
Gidley,
• Grosvenor,
Hewett,
Humphrey,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Warner,
Watkins,

14

NAYS.

28

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

UNFINISHED BUSINESS.

On motion of Mr. Fowler,

The Senate went into committee of the whole on the special order of yesterday,

Mr. Lamb in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 6, entitled

A bill authorizing the payment of bounties to volunteers in the service of the United States;

Have made sundry amendments thereto, but not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

J. M. LAMB, *Chairman*.

The report was accepted and the committee granted leave to sit again.

The Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock P. M.

Roll called: a quorum present.

UNFINISHED BUSINESS.

On motion of Mr. Warner,

The Senate went into committee of the whole on the special order of yesterday,

Mr. Lamb in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 6, entitled

A bill authorizing the payment of bounties to volunteers in the service of the United States;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

J. M. LAMB, *Chairman.*

The report was accepted, and the committee granted leave to sit again.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 29, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bills:

1. A bill to authorize the counties of Jackson and Eaton, and the cities and townships of such counties, and of Barry and Kent, the townships of Onondaga and Leslie, in Ingham county, and Leighton and Wayland, in Allegan county, to pledge their credit in aid of the construction of a railroad from Jackson to Grand Rapids;

2. A bill to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles, and

The first named bill was referred to the committee on banks and incorporations;

The second named bill was referred to the committee of the whole, and placed on the general order.

Mr. Jerome moved that the Senate take a recess until 7½ o'clock P. M.

Which motion did not prevail.

On motion of Mr. Clark,

The Senate adjourned.

Lansing, Saturday, January 30, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by Rev. Mr. Burgess.

Roll called: a quorum present.

PRESENTATION OF PETITIONS.

By Mr. Fowler: petition of William Donley and 34 other citizens of Eaton county, asking the passage of a law authorizing counties, cities and townships along the line of the Grand River Valley railroad, to aid in the construction of said road, by subscribing stock, or otherwise;

Also, petition of J. Musgrave, E. A. Foote, G. T. Rand, and 154 others, citizens of Eaton county, praying for the same;

Also, petition of Luman Foote, A. D. Shaw and 23 others, citizens of Eaton county, for the same;

Also, petition of M. W. Cooper and 16 others, citizens of Eaton county, for the same;

Also, petition of Wm. T. Cooley and 43 others, citizens of Eaton county, for the same;

Also, petition of R. W. Griswold, A. H. Parker, Willard Davis, and 182 other citizens of Eaton county, for the same;

Also, petition of E. W. Barker, and 21 other citizens of Eaton county, for the same;

Also, petition of Orin Fowler, Edwin B. Arnold, and 39 others, citizens of Eaton county, for the same;

Which several petitions were referred to the committee on banks and incorporations.

REPORTS OF STANDING COMMITTEES.

By the committee on finance:

The finance committee, to whom was referred

A bill to provide for the payment of the officers and members of the Legislature for the extra session, for the year 1864,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended do pass, and ask to be discharged from the further consideration of the subject:

Amend section 2 by inserting in the last line, after the word "to," where it first occurs, the word "and;" also, amend section 3 by inserting in the third line, after the word "and," the words "clerk of the."

All of which is respectfully submitted.

E. O. GROSVENOR,

Chairman Finance Committee.

On motion of Mr. Hewett,

The Senate concurred in the amendments.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred House bill No. 16, being

A bill to authorize the counties of Jackson and Eaton, and the cities and townships of such counties, and of Barry and Kent, the townships of Onondaga and Leslie, in Ingham county, and Leighton and Wayland, in Allegan county, to pledge their credit in aid of the construction of a railroad from Jackson to Grand Rapids,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass.

and ask to be discharged from the further consideration of the subject.

HENRY H. CRAPO, *Chairman.*

Report accepted and committee discharged.

Mr. Fowler moved that the bill be placed on the order of third reading;

Withdrawn.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate bill, entitled

A bill to authorize the several townships, cities and incorporated villages in any of the counties on the line of the Amboy, Lansing and Traverse Bay railroad, to aid in the construction of said road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Gidley,

The Senate concurred in the amendment.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on enrolled bills:

The committee on enrolled bills, to whom was referred

A bill to provide for the preparation of the Soldiers' National Cemetery at Gettysburg, in the State of Pennsylvania,

Respectfully report that they have examined the same, and return it to the Senate correctly enrolled.

S. H. BLACKMAN, *Chairman.*

The report was accepted and the committee discharged.

The bill was signed and presented to the Governor.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE OFFICE,
Lansing, January 29, 1864. }

To the Senate and House of Representatives:

I recommend legislation upon the following subjects:

1. To authorize corporations organized under general laws, to amend their articles of incorporation;
2. To extend the time for the collection of taxes in the towns and cities where it is necessary;
3. To amend act 238 of the laws of 1863, so as to appoint a new commissioner;
4. To amend the law for recording United States revenue stamps;
5. To legalize the organization of the village of Fenton;
6. To transfer Leelanaw county to the 9th judicial district;
7. To authorize the Governor to convey lands held in trust for Indians in Emmett and Cheboygan counties;
8. To amend the general railroad law, so as to allow juries to be drawn from the jury box of the county.

AUSTIN BLAIR.

The message was laid on the table.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to return to the Senate the following concurrent resolution:

Whereas, The Board of State Auditors were, by joint resolution No. 23, approved March 18, 1863, authorized to adjust and settle the claims of the State against the bail of John McKinney, late State Treasurer;

And whereas, The said Board were unable to determine whether they had legal authority, under the resolution above

named, to discharge Allen R. Burr, one of said bail, without releasing the other sureties; therefore,

Resolved, (the House concurring,) That the Governor be requested, by special message, to recommend such action of this Legislature as shall confer the proper authority upon the Board of State Auditors to release Allen R. Burr from further liability as surety in the case above named;

In the passage of which the House has concurred.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That the Auditor General be authorized and directed to send 2,000 copies of the compiled laws to the city of Detroit, and have the same sold at auction, or otherwise, for such sum or price as he shall be able to obtain for the same;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Lamb,

The resolution was laid on the table.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Wait, unanimous consent having been given, introduced

A bill to authorize certain townships in St. Joseph county to subscribe for stock in a corporation now in existence, or to be hereafter organized, to reconstruct the railroad from Constantine to Three Rivers, or to aid the same by loans or donations;

The bill was read a first and second time by its title, and referred to the committee on internal improvement.

Mr. Hewett moved that leave of absence be granted to Senator Clark until Tuesday next.

Mr. Babcock, unanimous consent having been given, introduced

A bill to authorize the payment of bounties by townships or cities, in Oakland county, to persons mustered into the service of the United States;

The bill was read a first and second time by its title, ordered printed, referred to the committee of the whole and placed on the general order.

Mr. Crapo, unanimous consent being given, introduced

A bill to amend an act entitled an act to amend sections 19, 20 and 21 of an act entitled an act to provide for the incorporation of railroad companies, approved February 15, 1859.

The bill was read a first and second time by its title;

Mr. Crapo moved to suspend the rules, and place the bill on its immediate passage;

Which motion prevailed.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,
Babcock,	Green,	Menroe,
Blackman,	Gidley,	Moore,
Buell,	Grosvenor,	Parker,
Corbin,	Hewett,	Robison,
Crapo,	Jay,	Wait,
Croswell,	Jerome,	Warner,
Dow,	Lamb,	Watkins,
Fowler,	Landon,	

26

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Mr. Jerome, unanimous consent having been given, introduced

A bill to authorize manufacturing corporations in the counties

of Saginaw and Bay, to take stock in plank road companies and associations, for the improvement of Saginaw river;

The bill was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Grosvenor, unanimous consent being given, introduced

A bill to extend the time for the collection of taxes in the townships of Hudson and Rollin, in the county of Lenawee, and the township of Pittsford, in the county of Hillsdale, for the year 1863;

The bill was read a first and second time by its title.

Mr. Grosvenor moved that the rules be suspended and the bill placed on its immediate passage;

Which motion prevailed.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Adair,	Mr. Gidley,	Mr. Mears,	
Babcock,	Grosvenor,	Monroe,	
Blackman,	Hewett,	Moore,	
Buell,	Humphrey,	Parker,	
Crapo,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Dow,	Lamb,	Warner,	
Fowler,	Lamb,	Watkins,	
French,	Landon,		26

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

Mr. Babcock gave notice that on some future day he would ask leave to introduce

A bill extending the time for the collection of taxes in the township of Holley, Oakland county.

Mr. Hewett offered the following:

Resolved, (the House concurring,) That the time for the final adjournment of this Legislature shall be Thursday, the 4th day of February, A. D. 1864, noon, and that no new bills shall be introduced after the 1st day of February, 1864;

Laid on the table.

Mr. Lamb moved to take from the table the resolution ordering the printing, for the use of the Senate, of 1,000 extra copies of the minority report of the select committee on soldiers' suffrage;

Which motion prevailed.

The resolution is as follows:

Resolved, That 1,000 extra copies of the minority report of the select committee on soldiers' suffrage, this day made to the Senate, in relation to the right of our soldiers in the field to the exercise of the elective franchise, be ordered printed for the use of the Senate, and that the same be in pamphlet form.

The question pending when the resolution was laid on the table, was the motion of Senator Babcock to strike out "1,000" and insert "500;"

Which motion prevailed.

Mr. Adair moved to amend the resolution so as to make it include all the reports on the same subject.

On motion of Mr. Hewett,

The resolution and amendment were laid on the table.

Mr. Watkins, unanimous consent having been given, introduced

A bill to lay out and establish a State road from the terminus of the Saginaw and Gratiot State road, to the Muskegon river, in Newagyo county;

The bill was read a first and second time by its title, and referred to the committee on roads and bridges.

Mr. Monroe gave notice that on some future day he would ask leave to introduce

A bill to legalize the separate action of the several townships of Branch county, and of wards in the city of Coldwater, in raising bounties for volunteers, and to enable them to elect for themselves, whether they will be controlled by the resolutions of the board of supervisors of said county, or be governed by their own separate action, in raising such bounties, and in the amount thereof.

Mr. Lamb, unanimous consent having been given, introduced

A bill to lay out and established a road to be known as the White Rock and Bingham State road.

The bill was read a first and second time by its title, referred to the committee of the whole and placed on the general order.

Mr. Hewett, unanimous consent having been given, introduced

A bill to extend the time for the collection of taxes in the city of Lansing, for the year 1863.

The bill was read a first and second time by its title;

Mr. Hewett moved that the rules be suspended, and the bill placed on its immediate passage;

Which motion prevailed.

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Corbin,
Crapo,
Croswell,
Dow,
Fowler,

Mr. French,
Gidley,
Grosvenor,
Hewett,
Humphrey,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Warner,

25

NAYS.

Mr. Watkins,

1

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Mr. Crapo, unanimous consent having been given, presented the memorial of the township board of the township of Grand Blanc, county of Genesee, asking for the passage of a law authorizing said township to raise by tax \$950, to pay bounties to volunteers;

Referred to the select committee on bounties.

UNFINISHED BUSINESS.

On motion of Mr. Warner,

The Senate went into committee of the whole on the unfinished business,

Mr. Lamb in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No 6, entitled

A bill authorizing the payment of bounties to volunteers in the service of the United States,

Have made sundry amendments thereto, and directed their chairman to report the same back to the Senate, asking concurrence therein, and ask to be discharged from the further consideration of the subject.

J. M. LAMB, *Chairman.*

The report was accepted and committee discharged.

On motion of Mr. Moore,

The Senate concurred in the amendments.

Mr. Grosvenor moved that the bill, as thus amended, be ordered printed and placed on the order of third reading;

Which motion prevailed.

Mr. Moore, unanimous consent having been given, introduced A bill to extend the time for the collection of taxes in the township of Fairfield, in the county of Lenawee.

The bill was read a first and second time by its title;

Mr. Moore moved that the bill be placed on the order of third reading;

Which motion prevailed.

On motion of Mr. Parker,

The Senate took a recess until 2½ o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2½ o'clock P. M.

Roll called: a quorum present.

On motion of Mr. Moore,

The order of business was suspended, and the Senate resumed the order of

THIRD READING.

On motion of Mr. Moore,

The rules were suspended, and,

Senate bill, entitled

A bill to extend the time for the collection of taxes in the township of Fairfield, in the county of Lenawee,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Landon,	
Babcock,	French,	Mears,	
Blackman,	Green,	Monroe,	
Buell,	Gidley,	Moore,	
Corbin,	Grosvenor,	Parker,	
Crapo,	Hewett,	Robison,	
Croswell,	Jerome,	Wait,	
Dow,	Lamb,	Warner,	24

NAYS.

Mr. Watkins, 1

The title was agreed to, and the bill ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

Senate bill No. 6, entitled

A bill authorizing the payment of bounties to volunteers in the service of the United States,

Was read a third time.

Mr. Hewett, unanimous consent having been given, moved to amend the bill, in section 3, line 4, also in lines 5 and 7, and twice in line 8, by inserting between the words "township" and "or," the word "ward;"

Which motion prevailed.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,	
Babcock,	Green,	Monroe,	
Blackman,	Gidley,	Moore,	
Buell,	Grosvenor,	Parker,	
Corbin,	Hewett,	Robison,	
Crapo,	Jerome,	Wait,	
Croswell,	Lamb,	Warner,	
Dow,	Landon,	Watkins,	
Fowler,			25

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR—I am instructed by a resolution of the House to respectfully request that your Honorable body will direct the transmission to this House of a copy of whatever recommendations may have been received by the Senate from the Governor by special message this day, if any.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

Mr. Grosvenor moved that the Secretary of the Senate be instructed to transmit to the House of Representatives a copy of the Governor's message received this day;

Which motion prevailed.

GENERAL ORDER.

On motion of Mr. Dow,

The Senate went into committee of the whole on the general order,

Mr. Babcock in the chair.

After some time spent therein, the committee rose, and, through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

A bill to provide for the payment of the officers and members of the Legislature, for the extra session, for the year 1864,

Have directed their chairman to report the same back to the Senate without amendment, and recommend its passage.

Also, House bill No. 11, entitled

A bill to accept the grant of lands made to the State of Michigan by the United States, to aid in the construction of a military road from Fort Wilkins, Copper Harbor, to the Wisconsin State line, by way of Houghton on Portage Lake, and to provide for the laying out and construction of the same,

Have made sundry amendments thereto, and directed their chairman to report the same back to the Senate, asking concurrence therein, and recommend its passage.

CHARLES V. BABCOCK, *Chairman.*

The report was accepted and the committee discharged.

The Senate concurred in the amendments.

The bills were placed on the order of third reading.

Mr. Jerome, unanimous consent having been given, submitted the following report:

The committee on State affairs, to whom was referred

A bill to authorize manufacturing corporations, in the counties of Saginaw and Bay, to take stock in plank road companies, and associations for the improvement of Saginaw river,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

The report was accepted and the committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

Mr. Jerome, by unanimous consent, introduced
Joint resolution to authorize the Governor to convey certain
lands to certain Indians, for whom the same are held in trust;

The joint resolution was read a first and second time by its
title, and referred to the committee on the judiciary.

Mr. Jerome also, by unanimous consent, introduced

A bill to extend the time for the collection of taxes in the
township of Ingersoll, in the county of Midland;

Read a first and second time by its title, and referred to the
committee on towns and counties.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following
entitled bill:

A bill to extend the time for the collection of taxes in the
city of Lansing, in the county of Ingham, for the year 1863;

In the passage of which the House has concurred by a ma-
jority vote of all the members elect, and has ordered the same
to take immediate effect by a vote of two-thirds of all the mem-
bers elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment and
engrossment, for enrollment.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following
entitled bills:

1. A bill to legalize the tax roll of the township of Sanilac,

in the county of Sanilac, for the year 1863, and to extend the time for the collection of the taxes therein;

2. A bill to legalize the tax roll of Dallas township, in Clinton county, for the year A. D. 1863, and extend the time for the collection of the taxes of said township;

3. A bill to extend the time for the collection of taxes in the township of Lyons, in Ionia county;

4. A bill to extend the time for the collection of taxes in the township of Fenton, in the county of Genesee, for the year eighteen hundred and sixty-three;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles.

Mr. Hewett moved that the rule requiring the second and third reading of bills to be on different days, be suspended, and that all bills coming before the Senate to-day, having for their object the extension of time for the collection of taxes, be placed on the order of third reading;

Which motion prevailed.

The bills were placed on the order of third reading.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bills:

1. A bill to extend the time for the collection of taxes in the township of Warren, county of Macomb, for the year eighteen hundred and sixty-three;

2. A bill to extend the time for the collection of taxes in the township of Chesterfield, in the county of Macomb, for the year eighteen hundred and sixty-three;

3. A bill to extend the time for the collection of taxes, for the year 1863, in the several townships of the county of Allegan;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles, and placed on the order of third reading.

Also, the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bills:

1. A bill to extend the time for the collection of taxes in the township of Deerfield, in the county of Livingston, for the year 1863;

2. A bill to extend the time for the collection of taxes in the township of Richland, county of Kalamazoo, for the year 1863;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time, by their titles, and placed on the order of third reading.

Also the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following entitled bills:

1. A bill to extend the time for the collection of taxes in the city of Detroit, for the year 1863;
2. A bill to amend section one of an act providing for a re-survey of a portion of the Grand Rapids and Muskegon State road, and appropriation of swamp land for the improvement thereof, approved March 20th, 1863;
3. A bill to provide for the drainage and reclamation of swamp lands by means of State road and ditches, from Muir, in Ionia county, to the north line of Isabella county;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles.

The first named bill was placed on the order of third reading.

The two last named bills were referred to the committee on roads and bridges.

Also, the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bills:

1. A bill to extend the time for the collection of taxes in the township of Handy, in the county of Livingston, for the year 1863;
2. A bill to legalize the organization of the village of Fenton, in the county of Genesee, and to legalize certain acts of the board of trustees of said village;
3. A bill to extend the time for the collection of taxes in the townships of Greenfield and Grosse Point, in the county of Wayne, for the year 1863;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles, and

The first and third named bills were placed on the order of third reading.

The second named bill was referred to the committee on towns and counties.

THIRD READING.

On motion of Mr. Grosvenor,

The order of business was suspended, and the Senate took up the order of third reading.

House bill, entitled

A bill to provide for the payment of the officers and members of the Legislature, for the extra session for the year 1864,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Monroe,	
Babcock,	Green,	Moore,	
Blackman,	Gidley,	Parker,	
Buell,	Grosvenor,	Robison,	
Corbin,	Hewett,	Wait,	
Crapo,	Jerome,	Warner,	
Croswell,	Lamb,	Watkins,	
Dow,	Mears,		23

NAYS.

Mr. Jay,	Mr. Landon,	2
----------	-------------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill No. 11, entitled

A bill to accept the grant of lands made to the State of

Michigan by the United States, to aid in the construction of a military road from Fort Wilkins, Copper Harbor, to the Wisconsin State line, by way of Houghton, on Portage Lake, and to provide for the laying out and construction of the same,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Monroe,	
Babcock,	Gidley,	Moore,	
Buell,	Grosvenor,	Parker,	
Corbin,	Jay,	Robison,	
Crapo,	Jerome,	Wait,	
Dow,	Lamb,	Warner,	
Fowler,	Landon,	Watkins,	
French,	Mears,		23

NAYS.

Mr. Blackman,	1
---------------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the township of Fenton, in the county of Genesee, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,	
Babcock,	Gidley,	Moore,	
Buell,	Grosvenor,	Parker,	
Crapo,	Jay,	Robison,	
Dow,	Jerome,	Wait,	
Fowler,	Lamb,	Warner,	18

NAYS.

Mr. Green,	Mr. Landon,	Mr. Watkins,	3
------------	-------------	--------------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the township of Lyons, Ionia county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Gidley,	Mr. Mears,
Blackman,	Grosvenor,	Monroe,
Buell,	Hewett,	Moore,
Corbin,	Jay,	Parker,
Crapo,	Jerome,	Robison,
Croswell,	Lamb,	Wait,
Dow,	Landon,	Warner,
Fowler,		

22

NAYS.

Mr. Green,	Mr. Watkins,	2
------------	--------------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the township of Handy, in the county of Livingston, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Landon,
Babcock,	Green,	Mears,
Blackman,	Gidley,	Moore,
Buell,	Grosvenor,	Parker,
Corbin,	Hewett,	Robison,
Crapo,	Jay,	Wait,
Croswell,	Jerome,	Warner,
Dow,	Lamb,	

23

NAYS.

Mr. Watkins,	1
--------------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the township of Deerfield, in the county of Livingston, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Corbin,
Crapo,
Croswell,
Dow,

Mr. Fowler,
Green,
Gidley,
Grosvenor,
Hewett,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Moore,
Parker,
Robison,
Wait,
Warner,

23

NAYS.

Mr. Watkins,

1

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the township of Richland, county of Kalamazoo, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Buell,
Corbin,
Crapo,
Croswell,
Dow,
Fowler,

Mr. Green,
Gidley,
Grosvenor,
Jay,
Jerome,
Lamb,
Landon,

Mr. Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Warner,

22

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the townships of Greenfield and Grosse Point, in the county of Wayne, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,

Mr. Fowler,
Green,
Gidley,

Mr. Landon,
Mears,
Monroe,

Buell,	Grosvenor,	Moore,	
Corbin,	Hewett,	Parker,	
Crapo,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Dow,	Lamb,	Warner,	24
	NAYS.		0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the city of Detroit, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Babcock,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Corbin,	Jay,	Parker,	
Crapo,	Jerome,	Robison,	
Dow,	Lamb,	Wait,	
Fowler,	Landon,	Warner,	21

NAYS.

Mr. Watkins,	1
--------------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the township of Chesterfield, in the county of Macomb, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Landon,	
Babcock,	Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Corbin,	Hewett,	Parker,	
Crapo,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Dow,	Lamb,	Warner,	24

17

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes, to the first Monday in March, in the county of Allegan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Mears,	
Babcock,	Green,	Monroe,	
Blackman,	Gidley,	Moore,	
Buell,	Grosvenor,	Parker,	
Corbin,	Jay,	Robison,	
Crapo,	Jerome,	Wait,	
Croswell,	Lamb,	Warner,	
Dow,	Landon,		23

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to extend the time for the collection of taxes in the township of Warren, in the county of Macomb, for the year 1862,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Landon,	
Babcock,	Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Corbin,	Hewett,	Parker,	
Crapo,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Dow,	Lamb,	Warner,	24

NAYS.

Mr. Watkins,

1

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to legalize the tax roll of Dallas township, in Clinton county, for the year 1863, and extend the time for the collection of taxes of said township,

Was read a third time and passed, a majority of [all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Gidley,	Mr. Moore,	
Babcock,	Grosvenor,	Parker,	
Buell,	Hewett,	Robison,	
Crapo,	Jerome,	Wait,	
Dow,	Mears,	Warner,	
Fowler,	Monroe,		17

NAYS.

Mr. Blackman,	Mr. Croswell,	Mr. Landon,	
Corbin,	Green,	Watkins,	6

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to legalize the tax roll of the township of Sanilac, in the county of Sanilac, for the year 1863, and to extend the time for the collection of taxes therein,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Gidley,	Mr. Monroe,	
Babcock,	Grosvenor,	Moore,	
Blackman,	Jay,	Parker,	
Buell,	Jerome,	Robison,	
Crapo,	Lamb,	Wait,	
Dow,	Landon,	Warner,	
Fowler,	Mears,		20

NAYS.

Mr. Corbin,	Mr. Green,	2
-------------	------------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following entitled bill:

A bill to extend the time for the collection of taxes in the township of Fairfield, in the county of Lenawee,

And to inform the Senate that the House has amended the same by adding a new section thereto, to stand as section 4, as follows:

"Sec. 4. A transcript of all unpaid taxes returned to the county treasurer, in pursuance of the foregoing provisions, shall be returned to the Auditor General as soon as practicable; and such unpaid taxes shall be collected in the same manner, and with interest computed for the same time, as other taxes for the year 1863, duly returned to the Auditor General for non-payment;"

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The Senate concurred, by yeas and nays, as follows:

YEAS.

Mr. Adair,
 Blackman,
 Buell,
 Corbin,
 Crapo,
 Croswell,
 Dow,
 Fowler,

Mr. Green,
 Gidley,
 Grosvenor,
 Hewett,
 Jay,
 Jerome,
 Lamb,
 Landon,

Mr. Mears,
 Monroe,
 Moore,
 Parker,
 Robison,
 Wait,
 Warner,
 Watkins,

NAYS.

24
 0

The bill was referred to the committee on enrollment, for enrollment.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, January 30, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following entitled bill:

A bill to extend the time for the collection of taxes in the townships of Hudson and Rollin, in the county of Lenawee, and the township of Pittsford, in the county of Hillsdale, for the year 1863,

And to inform the Senate that the House has amended the same by adding thereto a new section, to stand as section 4, as follows:

"Sec. 4. A transcript of all unpaid taxes returned to the county treasurer, in pursuance of the foregoing provisions, shall be returned to the Auditor General as soon as practicable; and such unpaid taxes shall be collected in the same manner, and with interest computed for the same time, as other taxes for the year 1863, duly returned to the Auditor General for non-payment;"

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a two-thirds vote of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The Senate concurred, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Corbin,
Crapo,

Mr. Green,
Gidley,
Grosvenor,
Hewett,
Jay,
Jerome,

Mr. Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,

Croswell,
Dow,
Fowler,

Lamb,
Landon,

Warner,
Watkins,

25

0

NAYS.

The Senate adjourned.

Lansing, Monday, February 1, 1864.

The Senate was called to order by the President *pro tempore*, at 10 o'clock A. M.

Roll called: a quorum present.

PRESENTATION OF PETITION.

By Mr. Babcock: petition of David Maiden, asking the State to recompense him for expenses incurred in procuring possession of certain University lands;

Referred to the committee on State affairs.

REPORTS OF STANDING COMMITTEES.

By the committee on roads and bridges:

The committee on roads and bridges, to whom was referred

A bill to lay out and establish a State road from the terminus of the Saginaw and Gratiot State road, to the Muskegon river, in Newaygo county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

M. C. WATKINS, *Chairman*.

The report was accepted and the committee discharged.

The bill was ordered printed, referred to the committee of the whole and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred

A bill to authorize the several townships in any of the counties on the line of the proposed railroad, of the Grand Rapids

and Indiana railroad company, to aid in the construction of said railroad,

Together with petition accompanying the same, respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with amendments, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

E. O. HUMPHREY, *Chairman.*

The report was accepted and committee discharged.

On motion of Mr. Wait,

The Senate concurred in the amendments.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on finance:

The finance committee, in compliance with the instructions contained in the resolution of the Senate, "to report the present condition of the "war fund," and if further legislation is necessary, to provide means for the payment of a State bounty contemplated in the bounty bills now before the Legislature, that they report a bill for the purpose," would respectfully report that by the provisions of an act authorizing a "war loan," approved May 10, 1861, a loan of one million dollars was authorized to be negotiated, the proceeds of which was required to be paid into the "war fund," and by the provisions of act No. 109, session laws of 1863, this loan was increased two hundred and fifty thousand-dollars, (\$250,000,) making the whole "war loan" authorized to be negotiated, twelve hundred and fifty thousand dollars (\$1,250,000). Of this loan there has been negotiated, and the proceeds paid into the "war fund," six hundred and and seventy-eight thousand three hundred dollars, (\$678,300,) which leaves of the loan five hundred and seventy-one thousand seven hundred dollars, (\$571,700,) which may be negotiated and the proceeds paid into the "war fund." As the "war fund" is now overdrawn, or has been loaned from the "general fund," one hundred and eighty-seven thousand eight hundred and eighty-seven dollars and four cents, (\$187,887 04,) which must

be returned to the general fund from the proceeds of the sales of the "war loan bonds," to which must also be added three thousand five hundred dollars, (\$3,500,) which has been appropriated from the "war fund," at the present session, to aid in fitting up and beautifying the Soldiers' National Cemetery at Gettysburg. The amount thus made, one hundred and ninety-one thousand three hundred and eighty-seven dollars and four cents, (\$191,387 04,) must be deducted from the proceeds of the war loan bonds now authorized to be negotiated, which would leave three hundred and eighty thousand three hundred and twelve dollars and ninety-six cents (\$380,312 96,) unappropriated, which may be sold and the proceeds paid into the "war fund." From the most reliable data that your committee have been able to obtain, they estimate that one hundred and twenty-five thousand dollars will be required from this fund to pay the State bounty of fifty dollars now being paid to each veteran soldier who reenlists. If this estimate should prove to be correct, there would be two hundred and fifty-five thousand three hundred and twelve dollars and ninety-six cents (\$255,312 96) of the war loan bonds, the proceeds of which would be applicable to the payment of any State bounty that may be authorized to be paid from said fund, by the action of this Legislature.

Your committee, therefore, estimating that a larger amount will be required, before the meeting of the next Legislature, than is found unappropriated of the "war loan," should any permanent State bounty be authorized to be paid at this session, have instructed me to report the following bills:

A bill authorizing a war bounty loan;

Also,

A bill to provide for the interest on the war bounty loan,

And ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted.

E. O. GROSVENOR, *Chairman.*

Report accepted and committee discharged.

The bills were read a first and second time by their titles, order-

ed printed, referred to the committee of the whole and placed on the general order.

By the committee on incorporations:

The committee on incorporations, to whom was referred

A bill to amend section seventeen, of an act to amend an act entitled an act to provide for the formation of companies to construct canals or harbors, and improve the same, approved March 13th, A. D. 1861, and an act amendatory thereto, approved January 18th, 1862, approved March 20th, 1863,

Respectfully report that they have had the same under consideration, and find by an examination of said bill, that its sole purpose is to render null and void a proviso in the present law, whereby vessels and other craft are exempted from the payment of toll for entering any harbor constructed under the provisions of the act hereby sought to be amended, and also exempting such harbor from being taxed. They believe that such amendment is necessary and proper. But in the further examination of the law, the committee find that House bill No. 3— which has passed both houses of this Legislature, and will undoubtedly be approved by the Governor, (if such approval has not already been made,) has repealed chapter 149 of the compiled laws, which provided the mode whereby certain damages, as stated in the 12th section of the act now sought to be amended, should be recovered. It therefore becomes necessary that the bill should be so amended as to make the necessary provisions for the collection of such damages, by the requisite amendment of said section 12, and which amendments the committee have prepared, in accordance with these views. They have therefore directed me to report the same back to the Senate, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. CRAPO, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Warner,

The Senate concurred in the amendments.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on towns and counties:

The committee on towns and counties to whom was referred

A bill to extend the time for the collection of taxes in the township of Ingersoll, in the county of Midland,

Have had the same under consideration, and ask leave to report the same back to the Senate without amendment, and recommend that the same do pass.

J. M. LAMB, *Chairman*.

The report was accepted and committee discharged.

On motion of Mr. Lamb,

The bill was placed on the order of third reading.

By the committee on towns and counties:

The committee on towns and counties, to whom was referred

A bill to legalize the organization of the village of Fenton, in the county of Genesee, and to legalize certain acts of the board of trustees of said village,

Have had the same under consideration, and report the same back without amendment, and recommend its passage.

J. M. LAMB, *Chairman*.

The report was accepted and the committee discharged.

On motion of Mr. Lamb,

The bill was placed on the order of third reading.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 1, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bills:

1. A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches, from Alma, in Gratiot county, via Maple Rapids, to the south line of Clinton county;

2. A bill to lay out and improve a State road, to be known as the Genesee and Tuscola State road;

3. A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuse of the elective franchise, by a registration of electors, approved February 14, 1859;

4. A bill to provide for laying out and establishing a State road in the counties of Lapeer and Tuscola;

Which have passed the House by a majority vote of all the members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles.

The first, second and fourth named bills were referred to the committees on roads and bridges and public lands, jointly.

The third named bill was referred to the committee on privileges and elections.

The President also announced the following

HOUSE OF REPRESENTATIVES, }
Lansing, February 1, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following entitled bill:

A bill to amend an act entitled an act to amend sections 19, 20 and 21 of an act entitled an act to provide for the incorporation of railroad companies, approved February 15, 1859,

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment and engrossment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 1, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following entitled bills:

1. A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, in the counties of Sanilac and Huron;

2. A bill to lay out and establish a State road from the terminus of the Saginaw and Gratiot State road, to the Muskegon river, in Newaygo county;

3. A bill to lay out and establish a road, to be known as the White Rock and Bingham State road;

4. A bill to legalize the action of the board of school inspectors of the township of Portage, Houghton county, and for other purposes;

5. A bill to provide for the drainage and reclamation of swamp lands by means of a road to be known as the East Saginaw and Junction State road;

6. A bill to provide for laying out and constructing a swamp land State road, in the county of Ionia, to be known as the Ionia and Smyrna State road;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles.

The first, second, third, fifth and sixth named bills were referred to the committees on roads and bridges and public lands, jointly.

The fourth named bill was referred to the committee on public instruction.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 1, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled joint resolution:

Joint resolution relative to the relief of the families of volunteers mustered from this State into the military or naval service of the United States, or of this State, and declaratory of the meaning of act No. 173, of the session laws of 1863, passed for that purpose,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The joint resolution was read a first and second time, by its title, and referred to the committee on military affairs.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Babcock, pursuant to previous notice, introduced

A bill to extend the time for the collection of taxes, for the year 1863, in the township of Holly, in the county of Oakland.

The bill was read a first and second time by its title;

Mr. Babcock moved that the rules be suspended, and the bill be placed on the order of third reading;

Which motion prevailed.

Mr. Moore, by unanimous consent, introduced

A bill to extend the time for the collection of taxes, for the year 1863, in the township of Woodstock, in the county of Lenawee.

The bill was read a first and second time by its title;

Mr. Moore moved that the rules be suspended, and the bill be placed on the order of third reading;

Which motion prevailed.

Mr. Warner, by unanimous consent, introduced

A bill to extend the time for the collection of taxes in the

township of Romulus, in the county of Wayne, and in the township of Lapeer, in the county of Lapeer, for the year 1863.

The bill was read a first and second time by its title;

Mr. Warner moved that the rules be suspended, and the bill placed on the order of third reading;

Which motion prevailed.

On motion of Mr. Crapo,

The committee of the whole were discharged from the further consideration of House bill No. 16, and the same was recommitted to the committee on incorporations.

Mr. Warner offered the following:

Resolved, That hereafter the daily sessions of the Senate shall commence at 9 o'clock A. M., until otherwise ordered;

Which was not adopted.

Mr. Crapo moved that the

Concurrent resolution authorizing the Auditor General to send 2,000 copies of the compiled laws, to the city of Detroit, to be sold at auction, or otherwise,

Be taken from the table;

Which motion prevailed.

The resolution is as follows:

Resolved, (the Senate concurring,) That the Auditor General be authorized and directed to send 2,000 copies of the compiled laws to the city of Detroit, and have the same sold at auction, or otherwise, for such sum or price as he shall be able to obtain for the same;

Mr. Crapo offered the following as a substitute for the resolution:

Resolved, (the House concurring,) That the Auditor General is hereby authorized and directed to send to the treasurer of each county in the State, one copy of the compiled laws for each 1,000 inhabitants, and for the fractional part of a thousand, in such county, according to the last census, and charge the same to such counties; and the county treasurers are hereby directed to sell the same for the benefit of their respect-

ive counties, for not less than two dollars and twenty-five cents per copy;

Mr. Lamb moved to amend by striking out the words "and charge the same to said counties;"

On motion of Mr. Babcock,

The resolution, substitute and amendment were referred to the committee on State affairs. •

THIRD READING.

Senate bill, entitled

A bill to extend the time for the collection of taxes for the year 1863, in the township of Holly, in the county of Oakland,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Lamb,	
Babcock,	French,	Landon,	
Blackman,	Green,	Mears,	
Buell,	Grosvenor,	Parker,	
Corbin,	Hewett,	Robison,	
Crapo,	Humphrey,	Wait,	
Croswell,	Jay,	Warner,	
Dow,	Jerome,		23

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Senate bill, entitled

A bill to extend the time for the collection of taxes in the township of Woodstock, in the county of Lenawee, for the year 1863;

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Lamb,
Babcock,	French,	Landon,
Blackman,	Green,	Mears,
Buell,	Grosvenor,	Moore,
Corbin,	Hewett,	Parker,

Crapo,
Croswell,
Dow,

Humphrey,
Jay,
Jerome,

Robison,
Wait,
Warner, 24

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Senate bill, entitled

A bill to extend the time for the collection of taxes in the township of Romulus, in the county of Wayne, and in the township of Lapeer, in the county of Lapeer, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Corbin,
Crapo,
Croswell,
Dow,
Fowler,

Mr. French,
Green,
Gidley,
Grosvenor,
Hewett,
Humphrey,
Jay,
Jerome,

Mr. Lamb,
Landon,
Mears,
Moore,
Parker,
Robison,
Wait,
Warner,

25

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

GENERAL ORDER.

On motion of Mr. French,

The Senate went into committee of the whole on the general order,

Mr. Fowler in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 8, entitled

A bill legalizing the action of certain counties in reference to the payment of bounties to persons mustered into the United States service;

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and ask to be discharged from its further consideration.

S. W. FOWLER, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Landon,

The Senate concurred in the amendments;

The bill was ordered to be engrossed and placed on the order of third reading.

On motion of Mr. Grosvenor,

The Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock P. M.

Roll called: a quorum present.

GENERAL ORDER.

On motion of Mr. Lamb,

The Senate went into committee of the whole on the general order,

Senator Warner in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

Senate bill No. 10, entitled

A bill to authorize the payment of bounties, by townships or cities, in Oakland county, to persons mustered into the service of the United States;

Have stricken out all after the enacting clause, and have directed their chairman to report that fact to the Senate, and to recommend its concurrence therein.

The committee of the whole have also had under consideration Senate bill No. 11, entitled

A bill to authorize the several townships, cities and incorporated villages in any of the counties on the line of the proposed railroad of the Amboy, Lansing and Traverse Bay Railroad Company, to aid in the construction of said railroad;

Also, House bill No. 12, entitled

A bill to authorize the several townships in any of the counties on the line of the proposed railroad, of the Grand Rapids and Indiana railroad company, to aid in the construction of said railroad;

Also,

A bill to authorize the city of Battle Creek, and the several townships of Calhoun and Barry counties, to pledge their credit to aid in the construction of a railroad from the city of Battle Creek, in the county of Calhoun, to the village of Hastings, in the county of Barry;

Have made sundry amendments thereto, and directed their chairman to report the same back to the Senate, asking concurrence therein, and ask to be discharged.

W. E. WARNER, *Chairman.*

Report accepted and committee discharged.

Mr. Adair moved that the Senate do not concur in the action of the committee on the first named bill;

Which motion prevailed.

On motion of Mr. Babcock,

The bill was laid on the table.

On motion of Mr. French,

The Senate concurred in the amendments made to the two next named bills.

Mr. Fowler moved that the Senate concur in the amendments reported with the last named bill, except that made to section 10 of said bill;

Which motion prevailed.

The question recurring upon the concurrence of the Senate in the amendment to section 10,

Mr. Robison called for the yeas and nays;

The Senate concurred in the amendment, by the following vote:

YEAS.

Mr. Adair,	Mr. Dow,	Mr. Jerome,	
Blackman,	Grosvenor,	Lamb,	
Corbin,	Humphrey,	Landon,	
Crapo,	Jay,	Watkins,	
Croswell,			13

NAYS.

Mr. Babcock,	Mr. Gidley,	Mr. Parker,	
Fowler,	Hewett,	Robison,	
French,	Monroe,	Wait,	
Green,	Moore,	Warner,	12

The bills were placed on the order of third reading.

The Senate adjourned.

Lansing, Tuesday, February 2, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by the Rev. Mr. Burns.

Roll called: a quorum present.

PRESENTATION OF PETITIONS.

By Mr. Fowler; petition of E. M. Kingsbury and 65 others, voters of Bellevue, Eaton' county, asking that the action of said township, in raising a bounty fund, be legalized by an act of this Legislature;

Referred to the select committee on bounties.

By the committee on public instruction:

The committee on public instruction, to whom was referred

A bill to legalize the action of the board of school inspectors of the township of Portage, Houghton county, enlarging the boundaries of school district No. 1 of said township, and the proceedings of the annual school meeting of the voters of said district, for the year 1863, in reference to the establishment of a graded and high school,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the

Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

GEO. H. FRENCH, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. French,

The bill was placed on the order of third reading.

By the committee on printing:

The committee on printing, to whom was referred the resolution in relation to printing 3,000 extra copies of the census returns and statistics for 1864, for distribution to townships and school district libraries, and State libraries, respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

J. G. WAIT, *Chairman.*

Report accepted and committee discharged.

The question being on concurrence in the adoption of the resolution,

Mr. Hewett moved to amend by striking out the words "in cheap book form," and substituting therefor the words "and bound with the annual report of the Superintendent of Public Instruction;"

Which motion prevailed.

The resolution, as thus amended, was adopted, and is as follows:

Resolved, (the Senate concurring,) That the Secretary of State be authorized to cause 3,000 extra copies of the census returns and statistics for 1864, to be published and bound with the annual report of the Superintendent of Public Instruction, for distribution to township and school district libraries, and the several State libraries.

By the committee on incorporations:

The committee on incorporations, to whom was referred the memorial of James B. Lee and 151 others, citizens of the coun-

ties of Livingston, Oakland, Washtenaw and Wayne, praying for the passage of an act authorizing the several townships in said counties to pledge their credit, and the county of Livingston to raise by tax, or borrow money, to aid in the construction of a railroad from some point near Detroit, to Howell, in the county of Livingston, respectfully report, that upon an examination of said memorial they find that the prayer of said petitioners is embodied in House bill No. 15, which is now on the general order of the Senate; and they therefore have directed me to report the same back to the Senate, without recommendation, and ask to be discharged from the further consideration of the subject.

HENRY H. CRAPO, *Chairman.*

The report was accepted and the committee discharged.

The memorial was laid on the table.

By the committee on incorporations:

The committee on incorporations to whom was re-committed House bill No. 16, being

A bill to authorize the counties of Jackson and Eaton, and the cities and townships of such counties, and of Barry and Kent, the townships of Onondaga and Leslie, in Ingham county, and Leighton and Wayland, in Allegan county, to pledge their credit in aid of the construction of a railroad from Jackson to Grand Rapids;

And to whom was also referred sundry petitions, praying for the passage of a law authorizing counties, cities and townships along the line of the Grand River Valley Railroad, to subscribe to the stock of said road, or otherwise aid in its construction, respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendments to the bill, recommending that the amendments be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

HENRY H. CRAPO, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Fowler,

The Senate concurred in the amendments.

On motion of Mr. Crapo,

The bill was placed on the order of third reading.

The petitions were laid on the table.

By the committee on military affairs:

The committee on military affairs, to whom was referred a

Joint resolution relative to the relief of the families of volunteers mustered from this State into the military or naval service of the United States, or of this State, and declaratory of the meaning of act No. 173 of the session laws of 1863, passed for that purpose,

Respectfully report that they have had the same under consideration, and have amended the same by striking out the words "or substitutes" in the line next to the last, and by adding to the end of the resolution, the following:

"And it shall be the duty of the supervisor of each township, to furnish relief to the families of volunteers who are credited to such township: *Provided*, The families resided in this State at the time of the enlistment of the volunteer, and are in circumstances entitling them to relief under the provisions of the act aforesaid,"

And they have directed me to report the same back to the Senate, with the said amendments, recommending that the amendments be concurred in, and that the resolution when so amended do pass, and ask to be discharged from the further consideration of the subject.

S. W. FOWLER, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Warner,

The Senate concurred in the amendments.

On motion of Mr Fowler,

The joint resolution was placed on the order of third reading.

By the committee on internal improvements:

The committee on internal improvements, to whom was referred House bill No. 14, entitled

A bill to authorize the several townships of Kalamazoo and St. Joseph counties, to subscribe stock in the Schoolcraft and Three Rivers Railroad Company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. O. HUMPHREY, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Dow,

The Senate concurred in the amendments.

The bill was referred to the committee of the whole and placed on the general order.

By the committee on internal improvements:

The committee on internal improvements, to was referred

A bill authorizing certain townships in St. Joseph county, to subscribe for stock in a corporation now in existence or to be hereafter organized, to reconstruct the railroad from Constantine to Three Rivers, or to aid the same by loans or donations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

E. O. HUMPHREY, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Warner,

The Senate concurred in the amendments.

The bill was referred to the committee of the whole and placed on the general order.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred House bill, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a road to be known as the East Saginaw and Junction State road,

Respectfully report that they have had the same under consideration, and have directed us to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Ch'n Com. on Public Lands,

M. C. WATKINS,

Ch'n Com. on Roads and Bridges.

The report was accepted and the committee discharged.

The bill was referred to the committee of the whole, and placed on the general order.

By the committee on the judiciary:

The committee on the judiciary, to whom was referred a

Joint resolution to authorize the Governor to convey certain lands to certain Indians, for whom the same are held in trust,

Would respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, recommending that it do pass, and ask to be discharged from the further consideration of the subject.

O. M. CROSWELL, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Hewett,

The joint resolution was placed on the order of third reading.

By the committee on the judiciary:

The committee on the judiciary, to which it was referred, by a resolution of the Senate, to consider and report "as to the constitutionality of any law to enable the qualified electors of this State, in the military service of the United States, to offer their votes, and to vote in places beyond and out of the jurisdiction of this State, and in places other than the place of their actual residence, at any elections of this State," would respectfully

REPORT :

The full power to legislate in all matters of State concern for the State, is in the Legislature. This power is unlimited, except so far as it is restricted by the National or the State Constitution. These Constitutions contain restrictions upon the legislative power, in some respects, for the protection of individual rights; as in the case of prohibition of *ex post facto* laws, and laws impairing the obligation of contracts. There are also restrictions springing from considerations of State or legislative policy—like the provision that no law shall embrace more than one object, and that the Legislature shall not allow extra compensation to any public officer, agent or contractor, after the service has been rendered or the contract entered into—and that divorces shall not be granted by the Legislature.

When, therefore, we would determine whether the Legislature has power to enact a particular law, we look into the Constitution, not for the purpose of seeing whether the power has been conferred upon the Legislature, but to see whether it has been taken away. Having the full power of legislation, except as prohibited, any legislative power which it undertakes to exercise is presumed to be lawfully possessed by it, until the clause in the Constitution can be pointed out which takes that power away.

The Supreme Court of this State has on several different occasions announced as a fundamental principle of constitutional law, that "to authorize a court to declare a statute unconstitutional, it should be able to point out the part of the Constitution which is violated, and the infraction should be clear and free from reasonable doubt." (*Tyler vs. People*, 8 Mich., 320; *Scott vs. Smart's Exrs.*, 1 Mich. 295; *People vs. Gallagher*, 4 Mich. 244; *Sears vs. Cottrell*, 5 Mich., 251.)

And they have further declared, that "in case of doubt, every possible presumption, not clearly inconsistent with the language and the subject matter, is to be made in favor of the constitutionality of State legislation." (*Sears vs. Cottrell*, 5 Mich., 257.)

The inquiry then is, whether the Legislature of this State is by any clause in the Constitution prohibited, in express terms or by necessary implication, from providing for the exercise of the elective franchise by persons not personally present in their respective townships or wards on the day of election, for if not thus prohibited its power to do so is unquestioned under the principle thus settled. On the contrary, if there be such a mandate, however much it may be regretted—as depriving a large class of loyal citizens of this right at a time when their votes are of inestimable importance to the nation—it is nevertheless the duty of the Legislature to abide by it, regardless of popular demand. It has no right to overlook the clear command of the Constitution on the plea that the courts will adjudge and settle the question correctly.

The clauses of the Constitution supposed to have a bearing upon this subject are as follows: "No elector shall be deemed to have gained or lost a residence by reason of his being employed in the service of the United States, or of this State," &c. (Art. 7, section 5.)

It was clearly the intent of this law that no man should lose the right to exercise the elective franchise simply because he had engaged in the service of his country away from his place of residence. The soldier's right to vote, then, is preserved by the express terms of the Constitution itself, and it would seem that any legislation designed to secure the exercise of this right would be simply giving effect to the purposes of the people, as embodied in the Constitution.

"In all elections, every white male citizen, every white male inhabitant residing in the State on the twenty-fourth day of June, one thousand eight hundred and twenty-five; every white male inhabitant residing in the State on the first day of January, one thousand eight hundred and fifty, who has declared his intention to become a citizen of the United States, pursuant to the laws thereof, six months preceding an election, or who has resided in the State two years and six months, and declared his intention as aforesaid, and every civilized male inhabitant

of Indian descent, a native of the United States, and not a member of any tribe, shall be an elector and entitled to vote at any election, unless he shall be above the age of twenty-one years, and has resided in the State three months, and in the township or ward in which he offers to vote, ten days next preceding such election."

The evident purpose of this clause was to prescribe what should be the qualifications of electors. It fixes the qualifications of age, sex, citizenship and color; and it also prescribes that his right to vote shall extend only to the township or ward in which he has his residence. In thus prescribing his qualifications, and designating at what elections his vote may be received, the Constitution employs terms requiring his residence to be in the township or ward in which he "*offers*" to vote, and these words are supposed to require a personal presence, and a tender by himself of his vote in that township or ward. It is evident, however, that the use of this phrase was merely incidental in fixing the qualifications of voters, and that it was employed for the purpose of designating whose votes should be received at the elections in that township or ward, and not as fixing the manner of exercising the right to vote. If we are correct in supposing that the sole purpose of this clause was to fix qualifications, then the whole manner of voting must be left open, under the Constitution, to the Legislature; for no one will claim that a clause in the Constitution prohibits the Legislature from acting on the subject, which that clause was in no respect designed to affect.

This view of the clause in question is strengthened by the consideration of the clause before quoted, which we have seen was designed, among other things, to preserve to those in the national service the right to vote.

It is a general principle of construction that all parts of the instrument are to be examined, and each clause is to be so construed as to give full effect to every clause, if possible. As full effect could not be given to the clause first quoted, without the power in the Legislature to provide for receiving the ballots of

the persons therein described, away from their residence, while they remain in the service, we must construe this clause in such a way as to allow the Legislature this power, if possible. It is not to be supposed that it was the purpose of the Constitution to preserve a naked right to vote, but with restrictions preventing its exercise.

This view is still further strengthened by a reference to the Constitutions of other States, some of which, after a similar clause prescribing qualifications, have declared that the voting shall be at the place of residence, *and not elsewhere*; and it would be reasonable to expect similar negative words in our own Constitution, if such had been the intent of the framers. On comparing a similar provision of the Constitution of 1835, and the provisions on this subject proposed in the Constitutional Convention, with the clause in the present Constitution, we think it will be found that the former more clearly limits the right to vote to the township or ward of which the voter is an actual resident. If so, it may fairly be inferred that our Constitution was not designed by its makers to so expressly limit or restrict the place of voting.

Laws similar to those proposed have been adopted or proposed, in several of the other States, and some of them have come under judicial decision. In several of the cases, the Constitutions differ so essentially from our own, that the decisions can be of little service to us in the consideration of this question.

But the Constitutions of Pennsylvania and Iowa, under both of which, decisions have been made, seem to be substantially like our own; but unfortunately the decisions in these two States are not harmonious.

The Pennsylvania Constitution reads as follows: "In elections by the citizens, every white freeman of the age of twenty-one years, having resided in this State one year, *and in the election district where he offers to vote, ten days immediately preceding such election*, and within two years paid a State or county tax, which shall have been assessed at least ten days before the election, shall enjoy the rights of an elector. But a citizen of

the United States, who had previously been a qualified voter in this State, and removed therefrom, and returned, and who shall have resided in the election district and paid taxes as aforesaid, shall be entitled to vote after residing in the State six months: *Provided*, That white freemen, citizens of the United States, between the ages of twenty-one and twenty-two years, and having resided in the State one year, and in the election district ten days, as aforesaid, shall be entitled to vote, although they shall not have paid taxes."

Under this clause it was held by the Supreme Court of that State, that the party could only vote when personally present in his district, and that the word "offer" implied a necessity for personal presence in the presentation of the ballot; and the law providing for taking the votes of soldiers elsewhere, was therefore held unconstitutional.

The clause in the Iowa Constitution is as follows: "Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of this State six months next preceding the election, *and of the county in which he claims his vote, sixty days*, shall be entitled to vote at all elections, which are now, or may be authorized by law."

This clause was held by the Supreme Court of that State to be designed solely to fix the qualification of electors, and not as prescribing in any degree the manner in which they should vote. It was therefore held that the manner of voting and the place where the ballots should be actually received, was entirely under the control of the Legislature. Under this construction it would seem that the use of the word "claim" or "offer" would make but little if any difference, as the incident of *place*, or the place of *exercising* the right, is not attached as a qualification of the voter."

So far as judicial authority is concerned, the question may therefore be regarded as an open one.

We do not find, therefore, in the Constitution or in judicial decisions a clear negative of the Legislative power.

The Constitution has been exceedingly liberal in conferring

the elective franchise—bestowing it in some cases upon those who were not citizens of the United States, and who may have never renounced a foreign allegiance. Our own citizens, necessarily employed away from their residence in defending their country, are entitled to a liberal construction of this instrument in favor of their right to vote while thus employed.

All of which is respectfully submitted.

C. M. CROSWELL,

S. H. BLACKMAN.

The report was accepted and committee discharged.

MINORITY REPORT.

Minority report of the committee on the judiciary, on the instructions of the Senate to examine and report "their opinion as to the constitutionality of any law to enable the qualified electors of this State, in the military service of the United States, to offer their votes and to vote in places beyond and out of the jurisdiction of this State, and in places other than the place of their actual residence."

The undersigned, as a minority of the judiciary committee, who were instructed to take into consideration "the constitutionality of any law to enable the qualified electors of this State, in the military service of the United States, to offer their votes and to vote in places beyond and out of this State, and in places other than the place of their actual residence, at any election of this State," respectfully report that the subject-matter embraced in said instructions involves many grave questions of public policy and expediency, some of which are irrelevant in the present inquiry, while others may be found upon due examination to have an important bearing, and assist materially in coming to a correct conclusion in the premises. The brave men for whom such a law is proposed, volunteered to fight for constitutional law and order, against armed traitors who denied the supremacy of the Federal Constitution, and they surely do not desire that we should violate, in any particular, the organic law of Michigan, to bestow upon them a transient privilege while they are braving dangers and death in a thousand forms, to

maintain the integrity of the Federal Constitution—the origin and model of our own. If the power to pass such a law does not exist, then, in the language of the Governor, “however much we may regret it, we must not move a step in that direction, since they would not be fit to make laws who will not obey the fundamental law.”

“It becomes us, therefore, to examine carefully and judge dispassionately.” The legislative department was created by the Constitution with certain defined duties and prescribed limits of power, and any law is invalid that conflicts with it or contravenes its manifest intention in any particular. To rightly understand what decisions of the courts of other States on this question can be regarded as authority and precedents for us, it will be necessary to compare the Constitutions of those States with our own, and also to examine briefly the history of that section of our present Constitution in its relation to a similar section in the preceding Constitution of 1835. That Constitution, when adopted, entitled the elector to vote in any district, county or township in which he actually resided. [Art. 2, section 1.] In 1839 an amendment was made to that section, by striking out the words “district, county or township,” and substituting in lieu thereof “township or ward.” [Session laws of 1839, p. 261.]

This amendment shows clearly that it was intended by that Constitution to restrict the place where the elector could vote to the township or ward where he resided. When the present Constitution was made, in 1855, no discussion was had in the Convention upon the subject now under consideration, and a reasonable presumption arises therefrom that no alteration of the limitation then existing as to the *place* where the elector should vote was intended to be made. That part of our present Constitution to be considered, is sections 1 and 5, of article 7. Section 1 reads thus:

“No citizen or inhabitant shall be an elector or entitled to vote at any election unless he be above the age of twenty-one years, and has resided in the State three months, *and in the*

township or ward in which he offers to vote ten days next preceding such election."

Section 5, article 7, provides "that no elector shall be deemed to have gained or lost his residence by reason of his being employed in the service of the United States, or of this State." The *real intention* of section 1 cannot be doubted. It was that the elector should *vote in the township or ward* where he resided, and Chancellor Kent says, in his Commentaries, that "the real intention, when ascertained, will always prevail" in the interpretation of constitutional law. "Every act of the legislative power contrary to the true intent and meaning of the Constitution, is absolutely null and void." [1 Kent's Com., p. 504.] The manifest intention of section 1 was, that polls of election should be opened *in the townships or wards in this State*, and that the elector in person should offer his vote *in the township or ward in which he resided*, and not elsewhere.

Section 5 merely retains for the elector in certain cases, a constructive residence whereby he is entitled to vote whenever he returns to his township and in person offers his vote therein. This section does not in the slightest degree conflict with the construction heretofore given to section 1, but, on the contrary, the two sections, considered together, sustain fully the position taken. This is concisely stated in the report of the committee on elections, made in 1863:

"1st. No Michigan soldier has lost his residence in any township or ward in this State by being in the service of the United States.

"2d. No person can be a resident of two places at one and the same time.

"3d. Every elector must reside in the township or ward in which he offers to vote, and *vice versa*, every elector must offer his vote in the township or ward in which he resides.

"4th. Every Michigan soldier, wherever he may be, is by the Constitution a resident of Michigan, and therefore he must vote in Michigan, if he votes at all, and not in Virginia, Carolina, Louisiana, New York or Canada."

These propositions are in no way invalidated by the decisions of the courts of other States, because the Constitutions of the States of Iowa and Wisconsin, where such laws have been held constitutional, have neither of them a Constitution in this respect similar to our own. The Constitution of Iowa, section 1, of article 2, reads thus:

"Every white male citizen of the United States, of the age of twenty-one years, who shall have been a resident of the State six months next preceding an election, and the county where he claims his vote, twenty days, shall be entitled to vote at all elections which now or hereafter may be authorized by law."

The Supreme Court of Iowa, referring to this section, says: "The Legislature clearly has the power to legislate on all rightful subjects of legislation, unless expressly prohibited from so doing, or where the prohibition is implied from some express provision." They decided that this section contained no such implied prohibition as to the place where the elector should vote; but there is nothing in their opinion from which we can infer that they would have so decided had the language in the section quoted been that used in the Constitution of Michigan. The language of the Iowa Constitution is: "and the county *where he claims his vote*." In our Constitution it is: "and in the township or ward *in which he offers to vote*." In the Iowa Constitution the word "claim" only denotes an assertion of right by the elector, without any implied restriction as to place. It is not "where he claims to vote," but "*claims his vote*," or asserts that he has the rights of an elector. Consequently, there could be no limitation implied as to the *place where* the elector shall offer his vote, the language evidently referring not to the manual act of voting, but only to the claim of his right so to act. The language in our Constitution is not susceptible of any such construction. The elector must reside "in the township or ward in which he offers to vote," or in other words, actually presents his vote for acceptance. It is not as in Iowa, a mere claim of right, but an attempt in person to exer-

cise that right in the place where it exists, that the Constitution of this State intends.

The next decision to examine is that of the Supreme Court of Wisconsin. The Constitution of that State, article 3, section 1, reads thus:

"Every male person of the age of twenty-one years, or upward, belonging to either of the following classes, who shall have resided in this State for one year next preceding an election shall be deemed a qualified elector at such election." The classification of voters then follows, and the section then concludes with this sweeping proviso, to wit: "*Provided*, That the Legislature may at any time extend the right to any persons not herein enumerated." In this section there being no limitation as to *place*, the Legislature would possess an unlimited power by virtue of the general proviso to legislate in the premises and to authorize any class of persons either in or out of the State, to vote at any election. In construing such a constitutional provision the Supreme Court of Wisconsin might well use the language attributed to it that "if the Legislature is not restricted it has full power to provide who shall have the right of suffrage and prescribe the place, time and manner of its exercise." No such grant of unlimited legislative power is to be found in the Constitution of Michigan, and the question therefore is not as erroneously stated in the minority report of the Hon. Senator from the 21st, to be whether this class of voters "may vote where they have a right to vote," but rather whether they may vote in a place beyond the territorial limits assigned by the Constitution in which elections are to be held. There is on this subject no analogy between the Constitutions of the States of Iowa and Wisconsin and this State.

For this reason, if no other, the Iowa and Wisconsin decisions are neither precedent or authority for our legislative action. There might be some faint shadow of authority claimed for the Wisconsin decision if section 5, article 13 of the Constitution of Wisconsin was correctly construed in the said minority report. That reads thus: "All persons residing upon the

Indian lands within any county of this State, qualified to exercise the right of suffrage under this Constitution, shall be entitled to vote at the polls which may be held nearest their residence, for State, United States and for county officers: *Provided*, That no person shall vote for county officers out of the county in which he resides."

It is claimed in said minority report, that the Supreme Court of Wisconsin held this proviso, "not to prohibit the voter from being allowed to cast his vote outside of the county in which he resided, but to prohibit him from voting *for officers of a county in which he did not reside*." This decision, if made, really has no bearing, as it is only the construction given to a section relating solely and exclusively to the right of suffrage granted therein to the persons residing on the Indian lands as distinct from the electors generally. Those persons were entitled to vote at polls held nearest to their residence without regard to the county in which they were held, and the limitation of that right was held only to apply to the vote for county officers. It will be noticed also that this decision does not appear to have been made in a case where the constitutionality of the soldiers' suffrage law was the issue. For these reasons, the undersigned submits that this last decision is entirely irrelevant.

The next decision cited is that of the Supreme Court of Connecticut, declaring that a similar law would be unconstitutional and void, for reasons based solely upon the peculiar Constitution of that State which, with as much precision as a statute law, fixes the time, place and manner of conducting elections. So entirely different is the Constitution of that State from our own that the case decided is entitled to no consideration as a precedent for us. Nevertheless, there are many general principles of constitutional law stated therein that will aid in construing our own Constitution. But first let us consider the proposition stated in that case "that the Constitution of Connecticut was not a *grant* of powers where they did not before exist, but a *limitation* of power already existing." This

does not apply to the Constitution of Michigan, as we expect to show. When the Constitution of Connecticut was adopted, in 1818, the Legislature, or "General Assembly," existed with legislative and judicial powers, originally granted by the charter of King Charles I. In 30 Conn. Rep., 596, the Court, after showing clearly that all the powers of the General Assembly were derived from the charter of Charles I., and so continued until the Constitution of 1818, say that for that reason it was not "so much a creative as a defining and restraining instrument."

"The General Assembly had, therefore, prior to the Constitution, supreme legislative and judicial power, and substantially supreme control of the executive power, and nearly everything was subject to the will or caprice of a legislative majority. To restrain this power, was the purpose of the people in establishing the Constitution." Does this historical description, thus judicially given, of the origin of the Legislature and Constitution of Connecticut, present any analogy with that of Michigan when the Constitution of 1835 was adopted? Our State Legislature did not then exist, but was created by the Constitution as the instrument wherein the people of the State had made manifest their sovereign will. The present Constitution was merely a continuation of the first. It contains alike, *grants* and *limitations* of legislative power. It would be absurd for this Legislature to declare that the Constitution "is not a grant of power," when its very existence and right to act is granted by that instrument. No such unlimited power can justly be claimed for this Legislature as that possessed by the General Assembly of Connecticut. The origin of legislative power in the two States differing so materially, shows conclusively that the Connecticut decision has no legitimate bearing upon the constitutional powers of this Legislature. But there are some general principles advanced therein that are very pertinent here. "The Constitution of the State, framed by a convention elected for that purpose, and adopted by the people, embodies their *supreme original will* in respect to the organization and perpetuation of

a State government, the division and distribution of its powers, the officers by whom those powers are to be exercised, and the limitations necessary to restrain the action of each and all for the preservation of the rights, liberties and privileges of all; and is, therefore, the supreme, paramount law to which the legislative as well as every other branch of the government, and every officer in the performance of his duties, must conform."

"Whatever that supreme original will prescribes, the General Assembly and every officer or citizen to whom the mandate is addressed, must do; and whatever it prohibits, the General Assembly and every officer and citizen must refrain from doing; and if either attempt to do that which is prescribed, in any other manner than that prescribed, or to do in any manner that which is prohibited, their action is repugnant to that supreme and paramount law, and invalid." (30 Conn. Rep., 594.) These general principles underlie and should govern all legislative action. Guided by those principles, it is the opinion of the undersigned that any law allowing the elector to cast his vote out of the township or ward in which he resides, would be void, because it would authorize the elector "to do that which is prescribed, in another manner than that prescribed" by the Constitution. Until now, no one has ever supposed that the many men who are detained every year from the polls, by sickness, by business in other States, or otherwise absent from home, could by a mere statutory law, be favored with a special opportunity to vote. As was remarked by the court in the Connecticut case, "It is said that this is an extraordinary exigency." But Constitutions are ordained not to yield to or be controlled by any exigency, however great. Our Constitution was made immediately after the Mexican war, that took hundreds of Michigan soldiers from the State, and but shortly after the great apostle of nullification and secession, John C. Calhoun, had predicted the dissolution of the Union within twelve years, and while war with Great Britain was imminent. With these facts before them, can it fairly be presumed that the framers of the Constitution intentionally, or at

least not from inattention, omitted to provide for the present exigency. But however this may be, the mere magnitude of the present exigency, and its consequent equities, do not change the character of the Constitution.

Lastly, the Pennsylvania decisions claim our attention. They were made with reference to a constitutional provision almost identical with our own, and therefore, in the opinion of the undersigned, are much more relevant, and entitled to greater consideration in this State than all the others combined. In the case of *Chase vs. Miller*, 41 Penn. Rep., 403, the Supreme Court held that a law authorizing soldiers to vote outside of the State was in conflict with section 1, of the 3d article of their Constitution, and therefore unconstitutional and void. That article is as follows:

"In elections by the citizens, every white freeman of the age of twenty-one years, having resided in this State one year, *and in the elective district where he offers to vote, ten days immediately preceding such election*, and within two years paid a State or county tax, which shall have been assessed at least ten days before the election, shall enjoy the rights of an elector." The words emphasized are literally those used in our own Constitution, with a single exception. The words "election district" are used in the place of "township or ward" in our Constitution, and are synonymous with "township or ward" here, as the term is defined there by the court to "denote subdivisions of Pennsylvania territory marked out by known boundaries prearranged and declared by public authority." Judge Woodward in delivering the opinion of the court, May 22, 1862, among other things, says:

"The great question now before us is whether the 43d section of the act can be reconciled with the 1st section of article 3d of the Constitution." The 43d section of the act authorized soldiers to vote wherever they might be, at polls of election appointed by their commanding officer.

The Judge further says: "The question now is, what construction is to be given to its particular phraseology? Con-

struing the words according to their plain and literal import, they mean undoubtedly that the citizen possessing the other requisite qualifications, is to have a ten days residence in an election district, and is to offer his vote in that district. The second section of this article requires all popular elections to be by ballot." (The Constitution of Michigan has a similar requirement.) "To 'offer to vote' by ballot is to present oneself with proper qualifications, at the time and place appointed and make manual delivery of the ballot to the officers appointed by law to receive it. The ballot cannot be sent by mail or express, nor can it be cast outside of all Pennsylvania election districts, and certified into the county where the voter has his domicile. We cannot be persuaded that the Constitution ever contemplated any such mode of voting, and we have abundant reason for thinking that to permit it would break down all the safeguards of honest suffrage. The Constitution meant rather that the voter, *in propria persona*, should offer his vote in an appropriate election district, in order that his neighbors might be at hand to establish his right to vote if it were challenged, or to challenge it if it were doubtful." Before quoting further it should be mentioned that the Constitution of Pennsylvania originally did not restrict the elector to vote at any particular locality in which he should offer to vote. The amendment to it was in these words: "and in the election district where he offers to vote ten days immediately preceding such election," in like manner as our own Constitution was amended by restricting the elector to the township or ward in which he resided. The court then say:

"The amendment so understood, introduced not only a new test of the right of suffrage, to-wit: a district residence, but a rule of voting also. Place became an element of suffrage for a two-fold purpose. Without the district residence no man shall vote; but having that district residence, the right it confers is to vote *in that district*. Such is the voice of the Constitution. The test and the rule are equally obligatory. We have no power to dispense with either. Whoever would claim

the franchise which the Constitution grants, must exercise it in the manner the Constitution prescribes."

The theory advanced in the Governor's message, that because a volunteer soldier does not lose his residence as a citizen, he therefore carries his residence with him, is effectually confuted. "When a soldier returns to his election district he resumes all the civil rights of citizenship, and his residence being unimpaired by his temporary absence, he has a right to vote on election day; but under the Constitution to which his fealty is due he can acquire no right to vote elsewhere." The Constitution of the two States being substantially the same, makes the above equivalent to a decision by one of the oldest judicial tribunals in the Union, that any law "to enable the qualified electors of this State, in the military service of the United States, to vote in places beyond and out of the jurisdiction of this State and in places other than the township or ward in which they reside," would be unconstitutional and void. As regards the New York proxy bill, and which was nearly the same as Senate bill No. 3, it is sufficient to state that its ultimate fate in New York, if a precedent, would be one against, and not the validity of, bill No. 3. In New York it was passed by a bare majority, was returned by Gov. Seymour, with his veto, for the reason assigned by him, that "it is clearly in violation of the Constitution in the judgment of men of all parties," and because "it was extremely defective and highly objectionable," and because the Legislature had admitted the unconstitutionality of the law, by passing a proposed amendment to the Constitution, giving the Legislature power to enact such a law.

The validity of all the proposed laws is also impaired by another consideration, to-wit: will the penalty provided for perjury and fraudulent voting under the proposed law, be operative beyond the territorial limits of this State, and can a person who is not a citizen, and has committed either offence, be tried therefor upon his return to this State? Judge Story says: "It is plain that the laws of one country can have no intrinsic force *proprio vigore*, except within the territorial limits and jurisdic-

tion of that country. They can bind only its own subjects and others who are within its jurisdictional limits." Story on conflict of laws, page 11, 2d Kent com., 8th ed. 579; also, on page 30 and 32 of Story on conflict of laws. He says:

"Another maxim or proposition is that no State or nation can, by its laws, directly affect or bind persons not residents therein, whether they are natural born subjects or others. The obligatory force of such laws, of any nation, cannot extend beyond its own territories."

These are axioms in law, and the courts would be powerless to protect the people from the grossest frauds, or to punish the most corrupt perjury perpetrated under the shelter of the laws here proposed to be enacted. This was forcibly illustrated in the case of the *People vs. Kunzman*, 41st Pa. rep. 429.

That was an indictment in Pennsylvania against an unnaturalized foreigner for voting in the District of Columbia under the law allowing soldiers to vote out of the State. The Court say of the law: "It is no rule for the citizens of other States or for unnaturalized foreigners, simply because we have no power to prescribe rules of action for the citizens and subjects of foreign governments. Then this is the case of a prosecution of an extra territorial misdemeanor, by an offender not alleged to owe any allegiance to the State of Pennsylvania. If we can entertain jurisdiction of such an offence, we must assume that there is legislative power to send the ballot box beyond our State lines, and that the judicial power accompanies it to punish not only our own citizens who violate it, but any intruder upon it from whatever nation of the earth he may come."

"I am aware that great and grievous frauds upon the elective franchise have been perpetrated under the cover of alleged elections by the volunteer, but they must go unpunished because our courts cannot try offences committed out of their jurisdictional limits."

The undersigned is of opinion, from the foregoing authorities and the reasons he has stated—

First. That the Constitution has prescribed that the ballot of the elector shall be offered by himself, in proper person, in the township or ward where he resides, and not elsewhere, and that any law authorizing him to vote at any other place or in any other manner would be in direct conflict with the Constitution.

Second. That if the soldier could be allowed to vote beyond the limits of the State, that any penal statute passed to protect the purity of the elective franchise thus bestowed, could not be enforced in this State against offenders who were not citizens thereof.

All of which is respectfully submitted.

WM. A. CLARK.

The report was accepted and committee discharged.

By the committee on State affairs:

The committee on State affairs, to whom was referred

Concurrent resolution providing for the sale of 2,000 copies of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying substitute, recommending that the substitute do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Gidley,

The Senate concurred in the substitute reported by the committee.

The substitute is as follows:

Resolved, (the House concurring,) That the Auditor General is hereby authorized and directed to send to the treasurer of each county in the State, one copy of the compiled laws for each 1,000 inhabitants, and for each fractional part of a thousand, in such county, according to the last census; and the county treasurers are hereby directed to sell the same for not less than two dollars and twenty-five cents per copy, and to

account for the same to the Auditor General, deducting from the amount of sales the cost of transportation of said laws to the place of sale. It shall be the duty of the treasurer having made sales as above, to report annually, on the first day of November, to the Auditor General, a statement, which shall show the number of copies sold, and the nett proceeds of such sales. The sums so reported shall thereupon be charged by the Auditor General to the counties from which such reports shall be made.

By the committee on State affairs;

The committee on State affairs to whom was referred the petition of David Maiden, asking the State to reimburse him for expenses incurred in procuring possession of certain University lands, have had the same under consideration, and respectfully report that the subject matter of the above petition has not been brought to the attention of this Legislature by a message from His Excellency, the Governor, hence is not proper matter for legislation. They have therefore directed their chairman to report the same back to the Senate, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

The report was accepted and committee discharged.

The petition was laid on the table.

By the committee on privileges and elections:

The committee on privileges and elections, to whom was referred the memorial of a public meeting of the colored citizens of Michigan, held at Adrian, January, 1864, asking that provision be made for amending the Constitution so as to enable colored citizens of the State to vote, have had the same under consideration, and respectfully ask leave to report:

That, under all the circumstances, they do not at this time deem themselves at liberty to recommend the action prayed for by the memorial. The present session is extra, and was called for special and specific objects, expressly stated in the Governor's proclamation, and submitted by special message, in neither of which has he called the attention of the Legislature

to this subject. The time of the session is short and has nearly expired; the amount of business before the two Houses is considerable, and involves questions of the gravest importance. Besides, by a provision of the Constitution, and in accordance with the signs of the times, it is believed there will be held in 1866, a State Convention for the purpose of a general revision of the present Constitution, at which time and place your committee believe the subject can be more properly introduced, and better and more safely disposed of than now.

Your committee therefore recommend that the prayer of the memorialists be not granted, and ask to be discharged from the further consideration of the subject.

D. MONROË, *Chairman.*

The report was accepted and committee discharged.

The memorial was laid on the table.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 1, 1864. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following concurrent resolution:

Resolved, (the House concurring,) That 1,500 extra copies of the majority report of the select committee of the Senate, and committee of ways and means of the House, authorized by concurrent vote of both branches, to act as a joint committee, and to whom was referred so much of the Governor's message as relates to the legalization of the action of towns and counties in raising bounties for volunteers, and to whom was also referred sundry memorials and petitions upon the same subject, be ordered printed for the use of both branches of the Legislature;

In the passage of which the House has not concurred.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The message was laid on the table.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 2, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to return the following entitled bills:

1. A bill to extend the time for the collection of taxes, for the year 1863, in the township of Holly, in the county of Oakland;

2. A bill to extend the time for the collection of taxes, for the year 1863, in the township of Woodstock, in the county of Lenawee;

3. A bill to extend the time for the collection of taxes in the township of Romulus, in the county of Wayne, and the township of Lapeer, in the county of Lapeer, for the year 1863;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were referred to the committee on enrollment and engrossment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 2, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That from and after the evening of Thursday, the fourth day of February inst., the two Houses will transact no business other than for the President of the Senate and the Speaker of the House to sign enrolled bills for the approval of the Governor, and the entry of the same on the journals of the proper Houses by the Secretary and Clerk, and the day of final adjournment of

this Legislature shall be on Saturday, the 6th day of February inst., at 12 o'clock, at noon, of that day;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Landon,

The Senate concurred in the adoption of the resolution.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 2, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bill :

A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections forty-five and sixty-one, of chapter six, of the compiled laws;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title.

Mr. Fowler moved that the rules be suspended, and the bill placed on the order of third reading;

Mr. French moved that the bill be made the special order for 2 o'clock this afternoon;

Which motion prevailed.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 1, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That it shall be and here-

by is made the duty of the Board of State Auditors, before the next session of the Legislature of this State, to procure one portfolio of suitable size and quality, for the use of each of the standing committees of the Senate and House of Representatives, plainly stamped or marked with the name of the committee for whose use it shall be intended, which shall be deposited in the State Library, to be obtained at the commencement of each session by the chairman of such committee, under the same restrictions, and to be returned to such Library at the end of the session, under the same penalties, as books are obtained and returned to said library, according to law;

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

Mr. Jay moved that the Senate concur;

Mr. Grosvenor called for the yeas and nays;

The resolution was not concurred in, the following being the vote thereon:

YEAS.

Mr. Jay,

1

NAYS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Corbin,
Crapo,
Croswell,
Divine,
Dow,

Mr. Fowler,
French,
Green,
Gidley,
Grosvenor,
Hewett,
Humphrey,
Jerome,
Lamb,

Mr. Landon,
Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Warner,
Watkins,

28

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. Babcock offered the following:

Resolved, (the House concurring,) That the Secretary of State be and he is hereby directed to cause to be printed in pamphlet form, all the laws passed by this session of the Legislature in

reference to bounties, and transmit a copy of the same to each supervisor and clerk of any township, city or ward in the State;

Which was adopted.

Mr. Blackman offered the following:

Resolved, That the rule requiring the second and third reading of bills and resolutions to be on different days, be and is hereby suspended during the remainder of this session;

Which was adopted.

Mr. Wait offered the following:

Resolved, (the House concurring,) That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and directed to compile and prepare for publication, make indexes, and superintend the publication of the journals and documents of the present Legislature, and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for their services, the sum of one hundred and fifty dollars;

On motion of Mr. French,

The resolution was laid on the table for one day.

THIRD READINGS.

Senate bill No 11, entitled

A bill to authorize the several townships, cities and incorporated villages in any of the counties on the line of the Amboy, Lansing and Traverse Bay railroad, to aid in the construction of said road,

Was read a third time.

Mr. French, by unanimous consent, moved to amend lines 2 and 7 of section two, by striking out the words "property-holding" and "tax-payers being;"

Which motion prevailed.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,
Buell,
Clark,

Mr. Green,
Gidley,
Hewett,

Mr. Moore,
Parker,
Robison,

Crapo,
Divine,
Fowler,
French,

Jerome,
Landon,
Mears,
Monroe,

Wait,
Warner,
Watkins,

20

NAYS.

Mr. Adair,
Babcock,

Mr. Corbin,
Dow,

Mr. Humphrey,
Jay,

6

On motion of Mr. French,

The title was amended by striking out the words "of the proposed railroad;" also, the word "company," in the 4th line.

The title, as thus amended, was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Senate bill, entitled

A bill to extend the time for the collection of taxes in the township of Ingersoll, in the county of Midland,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Corbin,
Crapo,
Croswell,
Divine,

Mr. Dow,
Fowler,
French,
Green,
Gidley,
Grosvenor,
Humphrey,
Jay,
Jerome,

Mr. Lamb,
Landon,
Mears,
Moore,
Parker,
Robison,
Wait,
Warner,

26

NAYS.

Mr. Watkins,

1

On motion of Mr. Landon,

The title was amended by adding the words "and to legalize the tax roll of said township," and as thus amended, was agreed to, and the bill ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to legalize the organization of the village of Fenton, in the county of Genesee, and to legalize certain acts of the board of trustees of said village,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Buell,
Clark,
Crapo,
Dow,
Fowler,
French,
Green,

Mr. Gidley,
Grosvenor,
Hewett,
Humphrey,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Moore,
Parker,
Robison,
Wait,
Watkins,

22

NAYS.

Mr. Warner,

1

The title was agreed to, and the bill ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

Senate bill No. 8, entitled

A bill to legalize the action of certain counties in reference to the payment of bounties to persons mustered into the United States service.

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Divine,
Dow,

Mr. Fowler,
Green,
Grosvenor,
Hewett,
Humphrey,
Jay,

Mr. Landon,
Mears,
Monroe,
Moore,
Wait,
Warner,

19

NAYS.

Mr. Corbin,
French,

Mr. Gidley,
Lamb,

Mr. Robison,
Watkins,

6

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill No. 10, entitled

A bill to authorize the city of Battle Creek, and the several townships of Calhoun and Barry counties, to pledge their credit to aid in the construction of a railroad from the city of Battle Creek, in the county of Calhoun, to the village of Hastings, in the county of Barry,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,	Mr. Green,	Mr. Monroe,	
Buell,	Gidley,	Moore,	
Clark,	Grosvenor,	Parker,	
Crapo,	Hewett,	Robison,	
Divine,	Jerome,	Wait,	
Fowler,	Landon,	Warner,	
French,	Mears,	Watkins,	21

NAYS.

Mr. Adair,	Mr. Dow,	Mr. Jay,	
Babcock,	Humphrey,	Lamb,	
Corbin,			7

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill No. 12, entitled

A bill to authorize the several townships in any of the counties on the line of the proposed railroad, of the Grand Rapids and Indiana Railroad Company, to aid in the construction of said railroad,

Was read a third time;

Mr. Wait, by unanimous consent, moved to amend section 2, by striking out in line 6, the words "property-holding;"

Which motion prevailed.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,	Mr. Green,	Mr. Monroe,	
Buell,	Gidley,	Moore,	
Clark,	Grosvenor,	Parker,	
Crapo,	Hewett,	Robison,	
Divine,	Jerome,	Wait,	
Fowler,	Landon,	Warner,	
French,	Mears,	Watkins,	21

NAYS.

Mr. Adair,	Mr. Dow,	Mr. Jay,	
Babcock,	Humphrey,	Lamb,	
Corbin,			7

On motion of Mr. Wait,

The title was amended by striking out the words "of the proposed railroad;" also, by striking out the word "company."

The title, as thus amended, was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to legalize the action of the board of school inspectors of the township of Portage, Houghton county, and for other purposes,

Was read a third time, and not passed, a majority of all the Senators elect not voting therefor, by yeas and nays as follows:

YEAS.

Mr. Blackman,	Mr. Hewett,	Mr. Mears,	
Dow,	Jay,	Robison,	
Fowler,	Landon,	Warner,	
French,			11

NAYS.

Mr. Adair,	Mr. Divine,	Mr. Lamb,	
Babcock,	Green,	Moore,	
Buell,	Gidley,	Parker,	
Corbin,	Grosvenor,	Wait,	
Crapo,	Humphrey,	Watkins,	15

On motion of Mr. French,

The vote last taken was reconsidered, and the bill laid on the table.

House joint resolution, entitled

Joint resolution relative to the relief of the families of volunteers mustered from this State into the military or naval service of the United States, or of this State, and declaratory of the meaning of act No. 173, of the session laws of 1863, passed for that purpose,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Babcock,	Mr. French,	Mr. Landon,	
Buell,	Green,	Monroe,	
Crapo,	Grosvenor,	Moore,	
Divine,	Jay,	Parker,	
Dow,	Jerome,	Wait,	
Fowler,	Lamb,	Watkins,	18

NAYS.

Mr. Adair,
Clark,
Corbin,
Croswell,

Mr. Gidley,
Hewett,
Humphroy,

Mr. Mears,
Robison,
Warner,

10

Tiole agreed to.

Senate joint resolution, entitled

Joint resolution to authorize the Governor to convey certain lands to certain Indians, for whom the same are held in trust,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Corbin,
Crapo,
Croswell,
Divine,
Dow,

Mr. Fowler,
French,
Green,
Gidley,
Grosvenor,
Humphrey,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Warner,
Watkins,

28

NAYS.

0

The title was agreed to.

House bill No. 16, entitled

A bill to authorize the counties of Jackson, Eaton, Barry and Kent, and the cities and townships of such counties, the townships of Onondaga and Leslie, in Ingham county, and Leighton and Wayland, in Allegan county, to pledge their credit in aid of the construction of a railroad from Jackson to Grand Rapids,

Was read a third time;

On motion of Mr. Fowler,

The bill was amended by adding to the last section the following words:

"But in case of aid rendered by a county, the board of supervisors may provide for the delivery of one-half the bonds upon the completion of one-half or some larger proportion of such work in said county."

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,	Mr. Green,	Mr. Monroe,	
Buell,	Gidley,	Moore,	
Clark,	Grosvenor,	Parker,	
Crapo,	Hewett,	Robison,	
Divine,	Jerome,	Wait,	
Fowler,	Landon,	Warner,	
French,	Mears,	Watkins,	21

NAYS.

Mr. Adair,	Mr. Dow,	Mr. Jay,	
Babcock,	Humphrey,	Lamb,	
Corbin,			7

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Mr. Warner moved to reconsider the vote by which House joint resolution, entitled

Joint resolution relative to the relief of the families of the volunteers mustered from this State in the military or naval service of the United States, or of this State, and declaratory of the meaning of act No. 173 of the session laws of 1863, passed for that purpose,

Was passed.

Mr. French moved to lay the motion on the table;

Mr. Warner called for the yeas and nays;

The motion to lay on the table prevailed, the following being the vote thereon:

YEAS.

Mr. Babcock,	Mr. French,	Mr. Mears,	
Buell,	Green,	Monroe,	
Corbin,	Grosvenor,	Moore,	
Crapo,	Humphrey,	Parker,	
Divine,	Jerome,	Wait,	
Fowler,	Lamb,	Watkins,	18

NAYS.

Mr. Adair,	Mr. Croswell,	Mr. Landon,	
Blackman,	Dow,	Robison,	
Clark,	Hewett,	Warner,	9

The Senate took a recess until 2 o'clock, P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock P. M.

Roll called: quorum present.

SPECIAL ORDER.

On motion of Mr. Fowler,

The Senate went into committee of the whole on the special order,

Mr. Grosvenor in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bill:

House bill No. 19, entitled

A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections forty-five and sixty-one, of chapter six, of the compiled laws;

Have made some progress therein, but not having gone through therewith, have directed their chairman to report that fact to the Senate, and ask leave to sit again.

E. O. GROSVENOR, *Chairman*.

The report was accepted and the committee granted leave to sit again.

Mr. Landon moved to take a recess until 7 o'clock;

Which motion did not prevail.

Mr. Buell moved that the Senate adjourn;

Mr. French moved to amend the motion so that the adjournment should be until to-morrow morning at 9 o'clock;

Which motion prevailed.

The Senate then adjourned.

Lansing, Wednesday, February 3, 1864.

The Senate was called to order by the President, at 9 o'clock A. M.

Roll called: a quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on privileges and elections:

The committee on privileges and elections, to whom was referred

A bill to amend an act entitled an act further to preserve the the purity of elections, and guard against the abuse of the elective franchise,

Have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that the same do pass, and ask to be discharged from the further consideration of the subject.

D. MONROE, *Chairman.*

The report was accepted and committee discharged.

On motion of Mr. Lamb,

The bill was placed on the order of third reading.

By the committee on enrollment:

The committee on enrolled bills, to whom was referred

A bill to authorize the county of Bay to issue its bonds to aid, in the construction of a railroad from Bay City to East Saginaw;

Also,

A bill to authorize the township of South Haven, in Van Buren county, and other townships in the counties of Van Buren and Allegan, to make loans and levy taxes for the construction and improvement of the Harbor at the mouth of South Black River, in said township of South Haven;

Also,

Joint resolution relative to the construction of an artesian well, at the State Reform School;

Respectfully report that they have examined the same, and herewith return them to the Senate correctly enrolled.

S. H. BLACKMAN, *Chairman.*

The report was accepted and the committee discharged.

The bills were signed and presented to the Governor.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches, in the counties of Sanilac and Huron,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands.

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

Report accepted and committee discharged.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred

A bill to amend section one of an act providing for a re-survey of a portion of the Grand Rapids and Muskegon State road, and appropriation of swamp lands for the improvement thereof, approved March 20, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands.

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

Report accepted and committee discharged.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred House bill, entitled

A bill to lay out and improve a State road to be known as the Genesee and Tuscola State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands.

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

Report accepted and committee discharged.

On motion of Mr. Blackman,

The Senate concurred in the amendment.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred House manuscript bill, entitled

A bill to lay out and establish a State road from the village of Muir, in Ionia county, to the north line of Isabella county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands.

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

Report accepted and committee discharged.

On motion of Mr. Hewett,

The Senate concurred in the amendment.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred House bill, entitled

A bill to provide for laying out and constructing a swamp land State road, in the county of Ionia, to be known as the Ionia and Smyrna State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

Report accepted and committee discharged.

On motion of Mr. Divine,

The Senate concurred in the amendment made by the committee.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred

A bill to lay out and establish a road, to be known as the White Rock and Bingham State road,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands.

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

Report accepted and committee discharged.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred

A bill to lay out and establish a State road from the terminus of the Saginaw and Gratiot State road, to the Muskegon river, in Newaygo county,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands.

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

Report accepted and committee discharged.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred House manuscript bill, entitled

A bill to provide for laying out and establishing a State road in the counties of Lapeer and Tuscola,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with a substitute for the bill, and recommend that the substitute do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands.

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

Report accepted and committee discharged.

On motion of Mr. Lamb,

The Senate concurred in the adoption of the substitute.

By the committees on public lands and roads and bridges:

The committees on public lands and roads and bridges, to whom was referred

A bill to provide for the drainage and reclamation of swamp lands by means of State roads and ditches from Alma, in

Gratiot county, by way of Maple Rapids, to the south line of Clinton county,

Have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying substitute, recommending that the substitute be adopted, and when so adopted that the same do pass, and ask to be discharged from the further consideration of the subject.

N. GREEN,

Chairman of Committee on Public Lands.

M. C. WATKINS,

Chairman of Committee on Roads and Bridges.

The report was accepted and the committee discharged.

On motion of Mr. Lamb,

The Senate concurred in the adoption of the substitute.

The several bills reported by the committees on roads and bridges and public lands, were referred to the committee of the whole and placed on the general order.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

Sir—I am instructed to return to the Senate the following entitled bills:

1. A bill to authorize the township of Lafayette, in the county of Van Buren, to raise, by tax or loan, money to aid in the construction of a railroad from the village of Paw Paw, in said county, to the village of Lawton, or some other point on the Michigan Central railroad;

2. A bill to authorize manufacturing companies to amend their articles of association;

3. A bill supplementary to an act to provide for recording United States revenue stamps affixed to instruments authorized by law to be recorded, approved March 14, 1863;

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members

elect, been ordered to take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles:

The first and third named bills were placed on the order of third reading.

The second named bill was referred to the committee on manufactures.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following entitled joint resolutions:

1. Joint resolution relative to the distribution of the laws, journals and documents of the extra session of the Legislature of the year 1864;

2. Joint resolution relative to the binding of the journals, documents and laws of the extra session of the Legislature, for the year 1864,

Which have passed the House by a majority vote of all the members elect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The joint resolutions were read a first and second time by their titles.

Mr. French moved that the joint resolutions be placed on the order of third reading;

Which motion prevailed.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following entitled bills:

1. A bill to provide temporary additional compensation to certain subordinate officers of the State Prison, for the year commencing December 1, 1863;

2. A bill supplementary to section 19 of an act entitled "an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by act of Congress, approved June third, 1856," approved February 14, 1857, and to an act approved January 15, 1862;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles.

On motion of Mr. Grosvenor,

The first named bill was referred to the committee on State Prison.

On motion of Mr. Wait,

The second named bill was placed on the order of third reading.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. French moved to take from the table

A bill to legalize the action of the board of school inspectors of the township of Portage, Houghton county, and for other purposes;

Which motion prevailed.

The question recurring upon the passage of the bill, it was passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,	Mr. Dow,	Mr. Landon,	
Buell,	Fowler,	Mears,	
Clark,	French,	Moore,	
Corbin,	Gidley,	Parker,	
Crapo,	Hewett,	Robison,	
Croswell,	Jay,	Wait,	
Divine,	Lamb,	Warner,	21

NAYS.

Mr. Adair,	Mr. Grosvenor,	Mr. Jerome,	
Green,	Humphrey,	Watkins,	6

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Mr. Jerome moved that the committee of the whole be discharged from the further consideration of Senate bill No. 9, and that the same be placed on the order of third reading;

Which motion prevailed.

Mr. Wait offered the following:

Resolved, That the fireman of the Senate be allowed fifty cents per day additional salary during the present session;

Which was adopted.

Mr. Moore offered the following:

Resolved, That no Senator shall occupy more than five minutes in discussion, and shall speak but once on the same subject, unless unanimous consent shall have been given by the Senate;

Which was adopted.

Mr. Fowler offered the following:

Resolved, That the Secretary of the Senate be and he is hereby authorized and required to forward, post paid, to the post-office address of each of the members and officers of this Legislature, copies of the journals of the last three days of this session;

Which was adopted.

On motion of Mr. Croswell,

The following resolution was taken from the table:

Resolved, (the House concurring,) That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and directed to compile and prepare

for publication, make indexes, and superintend the publication of the journals and documents of the present Legislature, and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for their services, the sum of one hundred and fifty dollars.

On motion of Mr. Moore,

The resolution was adopted.

THIRD READING.

House bill No. 17, entitled

A bill to amend an act entitled an act further to preserve the purity of elections, and guard against the abuse of the elective franchise, by a registration of electors, approved February 14, 1859,

Was read a third time;

Mr. Babcock moved that the bill be referred to the committee of the whole, and placed on the general order;

Which motion did not prevail.

The bill was passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,	Mr. Green,	Mr. Mears,	
Crapo,	Grosvenor,	Monroe,	
Croswell,	Humphrey,	Moore,	
Divine,	Jay,	Wait,	
Dow,	Jerome,	Watkins,	
French,	Lamb,		17

NAYS.

Mr. Adair,	Mr. Corbin,	Mr. Parker,	
Babcock,	Gidley,	Robison,	
Buell,	Hewett,	Warner,	
Clark,	Landon,		11

The title was agreed to.

House bill No. 21, entitled

A bill to authorize the township of Lafayette, in the county of Van Buren, to raise, by tax or loan, money to aid in the construction of a railroad from the village of Paw Paw, in said

county, to the village of Lawton, or to some other point on the Michigan Central railroad;

Was read a third time.

Mr. Blackman, by unanimous consent, moved to amend by inserting, in section 6, line 4, after the word "treasurer," the words "of the township for the use;"

Which motion prevailed.

The bill was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,	Mr. French,	Mr. Landon,	
Buell,	Green,	Mears,	
Clark,	Gidley,	Monroe,	
Crapo,	Grosvenor,	Wait,	
Divine,	Hewett,	Warner,	
Fowler,	Jerome,	Watkins,	12

NAYS.

Mr. Adair,	Mr. Dow,	Mr. Lamb,	
Babcock,	Humphrey,	Parker,	
Corbin,	Jay,		8

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill No. 24, entitled

A bill supplementary to an act to provide for recording United States revenue stamps affixed to instruments authorized by law to be recorded, approved March 14, 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Lamb,	
Babcock,	French,	Landon,	
Blackman,	Green,	Mears,	
Buell,	Gidley,	Monroe,	
Clark,	Grosvenor,	Parker,	
Corbin,	Hewett,	Robison,	
Crapo,	Humphrey,	Wait,	
Croswell,	Jay,	Warner,	
Divine,	Jerome,	Watkins,	28
Dow,			

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Senate bill No. 9, entitled

A bill to authorize manufacturing corporations, in the counties of Saginaw and Bay, to take stock in plank road companies, and associations for the improvement of Saginaw river,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Landon,	
Babcock,	French,	Mears,	
Blackman,	Green,	Monroe,	
Buell,	Gidley,	Moore,	
Clark,	Grosvenor,	Parker,	
Corbin,	Hewett,	Robison,	
Crapo,	Humphrey,	Wait,	
Croswell,	Jay,	Warner,	
Divine,	Jerome,	Watkins,	
Dow,	Lamb,		29

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

House joint resolution, entitled

Joint resolution relative to the binding of the journals, documents and laws of the extra session of the Legislature, for the year A. D. 1864,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Landon,	
Babcock,	French,	Mears,	
Blackman,	Green,	Monroe,	
Buell,	Gidley,	Moore,	
Clark,	Grosvenor,	Parker,	
Corbin,	Hewett,	Robison,	
Crapo,	Humphrey,	Wait,	
Croswell,	Jay,	Warner,	
Divine,	Jerome,	Watkins,	
Dow,	Lamb,		29

NAYS.

0

The title was agreed to.

House joint resolution, entitled

Joint resolution relative to the distribution of the laws, journals and documents of the extra session of the Legislature, of the year A. D. 1864,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Lamb,	
Blackman,	French,	Landon,	
Buell,	Green,	Mears,	
Clark,	Gidley,	Monroe,	
Corbin,	Grosvenor,	Parker,	
Crapo,	Hewett,	Robison,	
Croswell,	Humphrey,	Wait,	
Divine,	Jay,	Warner,	
Dow,	Jerome,	Watkins,	27

NAYS.

0

The title was agreed to.

House bill No. 23, entitled

A bill supplementary to section 19 of an act entitled an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by act of Congress, approved June 3, 1856, approved February 14, 1857, and to an act approved January 15, 1862,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Mears,	
Babcock,	French,	Monroe,	
Blackman,	Green,	Moore,	
Buell,	Gidley,	Parker,	
Clark,	Grosvenor,	Robison,	
Corbin,	Hewett,	Wait,	
Crapo,	Humphrey,	Warner,	
Croswell,	Jay,	Watkins,	
Dow,	Lamb,		26

NAYS.

Mr. Divine,

1

The title was agreed to.

SPECIAL ORDER.

On motion of Mr. Warner,

The Senate went into committee of the whole on the special order,

Mr. Grosvenor in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bill:

House bill No. 19, entitled

A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections 45 and 61, of chapter 6, of the compiled laws,

Have made sundry amendments thereto, and have directed their chairman to report the same back to the Senate, asking concurrence therein, and ask to be discharged.

E. O. GROSVENOR, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. Dow,

The Senate concurred in the amendments reported by the committee.

Mr. Clark moved to amend the bill by adding the following two new sections to stand as sections 39 and 40 of said bill:

Sec. 39. The Supreme Court of this State is hereby authorized and required to consider and decide within four months from and after the passage of this act, whether this act, or any part thereof, is authorized by or under the Constitution of this State, which decision shall be entered of record in said Court; and such decision shall be as valid and authoritative as if made in a case regularly pending in said Court, involving the question of the constitutionality of this act, and of every part thereof; and a copy of such decision shall be filed in the office of the Secretary of State. In case said Supreme Court shall decide this act to be unconstitutional, no further proceeding shall be had under this act.

Sec. 40. The Supreme Court may, in its discretion, direct an argument of the constitutional questions involvêd in this act, and for that purpose may invite such counsel, learned in the law, as such Courts shall deem expedient, to argue such questions before said Court.

Mr. Blackman moved to amend by striking out the words "authorized by or under" and inserting in lieu thereof the words "in conflict with;"

Which motion prevailed.

The question recurring on the motion to amend,

Mr. Hewett called for the yeas and nays.

The motion to amend did not prevail, the following being the vote thereon:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Clark,
Corbin,

Mr. Gidley,
Hewett,
Jay,
Landon,

Mr. Moore,
Parker,
Robison,
Warner,

13

NAYS.

Mr. Buell,
Crapo,
Croswell,
Divine,
Dow,
Fowler,

Mr. French,
Green,
Grosvenor,
Humphrey,
Jerome,

Mr. Lamb,
Mears,
Monroe,
Wait,
Watkins,

16

On motion of Mr. Lamb,

The order of business was suspended, and the bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,
Buell,
Crapo,
Croswell,
Divine,
Dow,
Fowler,

Mr. French,
Green,
Grosvenor,
Humphrey,
Jay,
Jerome,

Mr. Lamb,
Mears,
Monroe,
Moore,
Wait,
Watkins,

19

NAYS.

Mr. Adair,
Babcock,
Clark,
Corbin,

Mr. Gidley,
Hewett,
Landon,

Mr. Parker,
Robison,
Warner,

10

Mr. Gidley moved to amend the title, so as to make it read as follows:

"A bill to teach our soldiers in the field their political duty, our people a disregard of Constitution and law, and to make our elections a farce."

Mr. Blackman called for the yeas and nays;

The motion did not prevail, the following being the vote thereon:

YEAS.

Mr. Adair,
Clark,
Gidley,

Mr. Hewett,
Parker,

Mr. Robison,
Warner,

7

NAYS.

Mr. Blackman,
Buell,
Corbin,
Crapo,
Croswell,
Divine,
Dow,

Mr. Fowler,
French,
Green,
Grosvenor,
Humphrey,
Jay,
Jerome,

Mr. Lamb,
Landon,
Mears,
Monroe,
Moore,
Wait,
Watkins,

21

Mr. Babcock was excused from voting.

The title was agreed to.

On motion of Mr. French,

The Senate went into executive session.

The executive session closed.

On motion of Mr. Monroe,

The Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock P. M.

Roll called: a quorum present.

Mr. Lamb, by unanimous consent, offered the following:

Resolved, That the President and Secretary of the Senate, in drawing warrants or certificates for the payment of officers and members of the Senate for this extra session, be and they are hereby requested to include the time from the commencement of the session up to and including the day of final adjournment;

Which was adopted, the following being the vote thereon:

YEAS.

Mr. Adair,	Mr. Dow,	Mr. Monroe,	
Buell,	Gidley,	Moore,	
Clark,	Jay,	Parker,	
Corbin,	Jerome,	Robison,	
Crapo,	Lamb,	Wait,	
Divine,	Landon,	Warner,	18

NAYS.

Mr. Babcock,	Mr. French,	Mr. Humphrey,	
Blackman,	Green,	Mears,	
Croswell,	Grosvenor,	Watkins,	9

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to return the following entitled bill:

A bill authorizing the payment of bounties to volunteers in the service of the United States,

And to inform the Senate that the House has made the following amendments thereto:

1st. By inserting after the word "money," in the second line of section one, the following: "or shall have authorized or directed a committee of citizens, or any township officer or officers, to hire, advance or raise moneys;" also, by inserting after the word "issued," in the third line, the words, "or authorized the issuing of;" also, by inserting after the words "United States," in the eighth line, the following: "or with the object and to the end of encouraging the procuring of substitutes by per-

sons who may have been or shall be drafted into said service, or to encourage drafted men to enter into said service personally;" also, by inserting after the word "hired," in the ninth line, the following: "or so authorized or directed to be hired, advanced or raised;" also, by inserting in line 12, after the word "hired," the word "authorized;" also, by inserting after the word "raised," in the 15th line, the word "advanced;" also, in same line, after the word "issued," by inserting the words "or to be issued;" also, by inserting after the word "aforesaid," in the 17th line, the following: "or for the collection of the amount of money hired, advanced or raised, as aforesaid, under authority, as aforesaid."

2d. The House has adopted the following to stand as sections two and three of the bill, and have changed the numbering of the sections to the end of the bill, making section 2 to stand as section 4, &c.:

"Sec. 2. In all cases where the board of supervisors of any county, the common council of any city, or the township board of any township, or the legal voters of any city, township or county, have, in their corporate capacity, offered or agreed to pay any bounty to any person or persons for volunteering in the military service of the United States, or have offered or agreed to pay any bounty to any person who may have been drafted into said service, or serving therein, either in person or by substitute, or have issued bonds, or other evidences of debt, or other instrument claimed to be such, issued in good faith, to pay such bounties, or to raise money to pay the same, the said counties, townships and cities are, respectively, authorized and empowered to allow and pay the same as valid claims; and such allowance and payment shall, except as herein otherwise provided, be made in the same manner as ordinary claims are allowed and paid. And such township, city or county, may issue bonds or certificates of indebtedness, in lieu of any such bonds, a certificate or instrument claimed to be evidences of indebtedness heretofore issued in good faith for the purposes

aforesaid, and so allowed as aforesaid, which bonds or certificates, when issued by a city, or county, shall be under the seal thereof; and if by a city, shall be signed by the mayor and city clerk, or recorder thereof; and if by a county, shall be signed by the chairman of the board of supervisors and county clerk; and if by a township, shall be signed by the chairman of the township board and township clerk, and shall bear a rate of interest not exceeding seven per cent. per annum, and be payable at any time not exceeding twenty years from the time of such allowance.

"Sec. 3. In case the board of supervisors of any county, or the common council of any city, or the mayor and recorder, or mayor and city clerk, of any city, have issued, or caused to be issued, or shall hereafter issue, in pursuance of resolution heretofore adopted, bonds, warrants, certificates, or other evidences of indebtedness purporting to be such bonds, warrants, certificates, or other evidences of indebtedness, for the purpose of filling the quota of any township, city, ward, supervisor district, or judicial district of any city, under the draft first ordered for the fifth day of January, A. D. 1864, or the call previous thereto, by volunteers or substitutes for drafted men, or drafted men actually entering the military service of the United States, such instruments shall be legal evidence of the indebtedness of such county or city; and the board of supervisors in such county, and the common council of such city, is hereby authorized and required to assess, raise and collect, or authorize to be assessed, raised and collected, the amount of bonds, warrants, certificates, or other evidences of indebtedness issued or used for the purpose of filling the quota of any township or supervisor district, or judicial district, or ward of any city in such county or city, and the interest thereon, by tax on the real and personal property taxable within such township, supervisor district, judicial district, or ward, at such time and in such manner as the common council of such city, or the board of supervisors of such county, may, by ordinance or resolution, direct."

3d. In section two of Senate bill, (being section four of the

bill as amended by the House,) by striking out the words "may determine," in the first line, and inserting in lieu thereof the words "shall have power;" also, by striking out the words "by ballot," in line 2; also, by inserting the word "stating," after the word "township," in line 6; also, by inserting the word "either," after the word "question," in the same line; also, by inserting the words "to determine," before the word "what," in the 9th line; also, by striking out all after the word "the," where it first occurs in the 12th line, to and including the word "thereon," in the 15th line, and inserting in lieu thereof the following: "three last calls of the President for men for the military service of the United States, and to determine in favor of or against the allowing and paying any or all advances, or pledges made by individuals, or the interest thereon, for the purpose of raising bounties to fill the quota of said township, ward or city, under either of the three last calls of the President, aforesaid;" also, by inserting in the 24th line, before the word "levied," the word "assessed;" also, by striking out the proviso at the end of said section."

4th. In section 4 of Senate bill, (being section 6 of the bill as amended by the House,) by inserting after the word "city," the words "or by loan."

5th. The House has adopted the following as a substitute for section 6 of the Senate bill, (being section 8 of the bill as amended by the House:)

"Sec. 8. There shall be paid from the war fund of this State, a uniform State bounty of one hundred dollars to each person below the rank of a commissioned officer, who may hereafter enlist and be mustered into the military or naval service of the United States, and who shall be credited on the quota of this State, or any military district thereof, under any call or order of the President or military authorities of the United States, or of this State, made or issued since the first day of January, A. D. eighteen hundred and sixty-four: *Provided*, That none of the bounties provided for in this act shall be paid to any volunteer, being a resident of this State at the time of en-

listing, who shall be credited to any sub-district, township or ward other than that in which he is enrolled, or if not enrolled where he resided at the time of enlistment."

6th. By inserting after the word "enlistment," in the fifth line of section 7 of the Senate bill, (being section 9 of the bill as amended by the House,) the words "and the place of credit;" also, by adding the following proviso at the end of the section: "*Provided*, The Quartermaster General shall not pay the bounty contemplated by this section, to any person unless he shall present the certificate of the Provost Marshal that he is credited to the township or ward in which he was enrolled, or that the person shall present his own affidavit that the township or ward to which he is credited, is the township or ward in which he actually resides, and that he is not enrolled elsewhere in the State."

7th. Also, by adding the following at the end of section 8 of the Senate bill, (being section 10 of the bill as amended by the House:) "A transcript of all unpaid taxes returned to the county treasurer, in pursuance of this section, shall be returned to the Auditor General as soon as practicable, and such unpaid taxes shall be collected in the same manner, and with interest computed from the same time as other taxes, for the year one thousand eight hundred and sixty-three, duly returned to the Auditor General, for non-payment;"

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect, by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

Mr. Lamb moved that the Senate concur;

Which motion did not prevail, the following being the vote thereon:

YEAS.

Mr. Clark,
Fowler,

Mr. French,
Monroe,

Mr. Robison,

NAYS.

Mr. Adair,
Blackman,
Buell,
Corbin,
Croswell,
Divine,
Dow,

Mr. Green,
Grosvenor,
Hewett,
Humphrey,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Moore,
Parker,
Wait,
Warner,
Watkins, 21

Mr. Landon moved that a committee of three of conference on said bill be appointed on the part of the Senate, and that the appointment of a like committee on the part of the House be requested;

Which motion prevailed.

The President appointed as such committee, Senators Landon, Crapo and Lamb.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate :

SIR—I am instructed by the House to transmit the following entitled bill:

A bill authorizing the township board of the township of Saline, Washtenaw county, to levy, assess and collect upon the taxable property of said township the amount of bonds issued by said township board for bounty purposes,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all of which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on banks and incorporations.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed to transmit to the Senate the following entitled bill:

A bill to authorize the several townships in the counties of Ottawa, Allegan, Van Buren and Berrien, to pledge their credit in aid of the construction of a railroad from Grand Haven to New Buffalo;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The President also announced the following: •

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following entitled joint resolution:

Joint resolution to authorize the Governor to convey certain lands to certain Indians, for whom the same are held in trust,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The joint resolution was referred to the committee on enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That the Secretary of State, immediately after the passage and approval of the bill relating to bounties, cause the same to be printed and forwarded to each Senator, Representative, county clerk and township clerk in the State,

Which has passed the House, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Warner,

The Senate concurred.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bills:

1. A bill to authorize the Michigan Salt Company to carry on its business in the counties of Saginaw and Bay;

2. A bill to authorize the several townships of the counties of Kent, Ottawa and Muskegon, to aid any railroad company now in existence, or that may be hereafter organized, in the construction of a railroad from the village of Muskegon to some convenient point on the Detroit and Milwaukee railroad;

Which have passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills were read a first and second time by their titles, and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bill :

A bill to authorize certain military officers to administer oaths and take acknowledgments,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title.

On motion of Mr. Blackman,

The bill was placed on the order of third reading.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to legalize the action of the township of York in relation to raising volunteers,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to return the following entitled bill:

A bill to authorize manufacturing corporations in the counties of Saginaw and Bay, to take stock in plank road companies and associations formed for the improvement of the Saginaw river;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following concurrent resolution:

Resolved, (the House concurring,) That the Secretary of the Senate and the Clerk of the House of Representatives be and they are hereby authorized and directed to compile and prepare for publication, make indexes, and superintend the publication of the journals and documents of the present Legislature, and when completed and certified to by the Secretary of State, they shall each be entitled to and receive for their services, the sum of one hundred and fifty dollars,

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The resolution was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to return the following entitled bill:

A bill to extend the time for collection of taxes in the township of Ingersoll, in the county of Midland, and to legalize the tax roll of said township,

And to inform the Senate that the House has amended the same by adding thereto the following, to stand as section 4:

"Sec. 4. A transcript of all unpaid taxes returned to the county treasurer in pursuance of the foregoing provisions, shall be returned to the Auditor General as soon as practicable, and such unpaid taxes shall be collected in the same manner, and with interest computed for the same time, as other taxes for the year 1863, duly returned to the Auditor General for non-payment;"

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Jerome,

The Senate concurred in the amendment to the bill, by ye and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Clark,
Crapo,
Croswell,
Divine,
Dow,

Mr. French,
Green,
Gidley,
Grosvenor,
Hewett,
Humphrey,
Jerome,
Lamb,

Mr. Landon,
Mears,
Moore,
Parker,
Robison,
Wait,
Warner,
Watkins,

NAYS.

0

The bill was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to inform the Senate that Messrs. Hemingway, Warner and Barnes, have been appointed a committee of conference on the part of the House, to confer with the committee on the part of the Senate, on the disagreement of the two Houses on Senate bill No. 6, entitled

A bill authorizing the payment of bounties to volunteers in the service of the United States,

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The message was laid on the table.

Mr. Moore, by unanimous consent, submitted the following report:

By the committee on State Prison:

The committee on State Prison, to whom was referred House bill entitled

A bill to provide temporary additional compensation to certain subordinate officers of the State Prison, for the year commencing December 1, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

THOMAS F. MOORE, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Moore,

The bill was placed on the order of third reading.

Mr. Moore, by unanimous consent, introduced

A bill to authorize the electors of the township of Rollin, in the county of Lenawee, at the annual township meeting, in 1864, to determine by vote whether they will refund to the township treasurer of said township certain moneys lost by him by reason of the failure of the People's Bank of Hudson;

Which was read a first and second time by its title, and referred to the committee on State affairs.

Mr. Mears, by unanimous consent, submitted the following report:

By the committee on manufactures:

The committee on manufactures, to whom was referred House bill No. 20, being

A bill to authorize manufacturing companies to amend their articles of association,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. MEARS, *Chairman*.

Report accepted and committee discharged.

On motion of Mr. Jerome,

The bill was placed on the order of third reading.

GENERAL ORDER.

On motion of Mr. Warner,

The Senate went into committee of the whole on the general order,

Mr. Blackman in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration the following entitled bills:

Senate bill, entitled

A bill authorizing certain townships in St. Joseph county, to subscribe for stock in a corporation now in existence or to

be hereafter organized, to reconstruct the railroad from Constantine to Three Rivers, or to aid the same by loans or donations;

Also, House bill No. 14, entitled

A bill to authorize the several townships of Kalamazoo and St. Joseph counties to subscribe stock in the Schoolcraft and Three Rivers railroad company;

And have directed their chairman to report the same back without amendment, and without recommendation.

The committee of the whole have also had under consideration House bill No. 2, entitled

A bill to amend sections 12 and 17 of an act to amend an act entitled an act to provide for the formation of companies to construct canals or harbors, and improve the same, approved March 13, A. D. 1861, and an act amendatory thereto, approved January 18, 1862, approved March 20, 1863;

Also, Senate bill, entitled

A bill to lay out and establish a road to be known as the White Rock and Bingham State road;

Have directed their chairman to report the same back to the Senate without amendment, and recommend their passage.

The committee of the whole have also had under consideration House bill No. 15, entitled

A bill to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston to raise by tax or borrow money to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston;

Have made an amendment thereto, and directed their chairman to report the same back to the Senate, asking concurrence therein, and ask to be discharged.

S. H. BLACKMAN, *Chairman.*

The report was accepted and committee discharged.

On motion of Mr. Warner,

The Senate concurred in the amendments reported by the

committee to the last named bill, and the bill was placed on the order of third reading.

On motion of Mr. Wait,

The first and second named bills were committed to the committee on State affairs.

The third and fourth named bills were placed on the order of third reading.

MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,
Lansing, February 3, 1864. }

To the Senate and House of Representatives:

It is represented to me that there is an urgent necessity for the passage of a law authorizing the township of Rollin, in the county of Lenawee, to relieve the township treasurer of that town by refunding to him certain of the township moneys lost by him by reason of the failure of the People's Bank of Hudson. My information is not sufficient to enable me to recommend anything upon the subject, but I submit it entirely to the Legislature.

AUSTIN BLAIR.

The message was laid on the table.

Mr. Landon, by unanimous consent, submitted the following report:

By the committee of conference:

The committee of conference between the two Houses, to whom was referred Senate bill No. 6, being

A bill authorizing the payment of bounties to volunteers in the service of the United States,

Respectfully report that they have conferred upon the subject of disagreement between the two Houses, and unanimously recommend the following amendments to said bill:

In section 4, as printed by the House, strike out of line 15 all after the word "under," to the end of the sentence in line 16, and insert "the two calls by the President of the United States next preceding the 20th day of January, 1864." In line

18, same section, strike out the word "herein," and insert the words "in this section."

In section 6, line 6, strike out the words "which may hereafter be," and insert after "United States," in the 7th line, the words "since January 20th, 1864, or which he may hereafter make."

In section 8, in the proviso, insert the word "hereafter" between the words "shall" and "be."

In section 9, in the proviso, insert after the word "person," where it first occurs, the words "being a resident of this State."

All of which is respectfully submitted.

R. W. LANDON,

Chairman Senate Committee.

WM. HEMINGWAY,

Chairman House Committee.

The report was accepted and committee discharged.

On motion of Mr. Hewett,

The Senate concurred in the recommendations of the committee.

The question recurring upon the concurrence of the Senate the amendments made by the House to said bill, as amended by the committee on conference,

The Senate concurred, by a majority vote of all the Senators elect, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Lamb,	
Babcock,	French,	Landon,	
Blackman,	Green,	Mears,	
Buell,	Gidley,	Monroe,	
Clark,	Grosvenor,	Moore,	
Corbin,	Hewett,	Robison,	
Crapo,	Humphrey,	Wait,	
Divine,	Jay,	Warner,	
Dow,	Jerome,	Watkins,	27

NAYS.

0

Mr. Jay, by unanimous consent, moved that 300 copies of the bill, as passed, be ordered printed for the use of the Senate.

Which motion prevailed.

Mr. Moore, by unanimous consent, offered the following resolution:

Whereas, On the second day of this session, Hon. William A. Clark moved a committee to examine and report to this Senate, whether Hon. Smith W. Fowler now holds an office under the United States Government, by reason of which he has vacated his seat in this Senate; and thereupon a committee for the purpose was raised, to whom was also referred the same action in the case of the Hon. John J. Robison, of which committee the Hon. Senator Clark was appointed chairman;

And whereas, This is nearly the close of this session and the said committee have failed to report, making it impossible for the Senate to take proper action in the cases above named; therefore,

Resolved, That the Senate do now discharge the above named committee from further action in the cases above named.

Mr. Warner called for the yeas and nays;

The resolution was adopted by the following vote:

YEAS.

Mr. Blackman,	Mr. Green,	Mr. Mears,	
Buell,	Grosvenor,	Monroe,	
Crapo,	Humphrey,	Moore,	
Divine,	Jay,	Wait,	
Dow,	Jerome,	Watkins,	
French,	Lamb,		17

NAYS.

Mr. Adair,	Mr. Gidley,	Mr. Landon,	
Clark,	Hewett,	Warner,	
Corbin,			7

Mr Jay moved that the Senate adjourn;

Which motion did not prevail.

On motion of Mr. Grosvenor,

The Senate took a recess until 7 o'clock P. M.

—
EVENING SESSION.

The Senate was called to order by the President, at 7 o'clock P. M.

Roll called: a quorum present.

GENERAL ORDER.

On motion of Mr. Warner,

The Senate went into committee of the whole on the general order,

Mr. French in the chair.

After some time spent therein, the committee rose, and through the chairman, made the following report:

The committee of the whole have had under consideration, the following entitled bills:

Senate bill No. 13, entitled

A bill authorizing a war bounty loan;

Also, Senate bill No. 12, entitled

A bill to provide for the interest on the war bounty loan;

Also, House bill, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a road, to be known as the East Saginaw and Junction State road;

Also, House manuscript bill, entitled

A bill to lay out and establish a State road from the village of Muir, in Ionia county, to the north line of Isabella county;

Also, House manuscript bill, entitled

A bill to provide for the drainage and reclamation of swamp land, by means of State roads and ditches;

Also, House manuscript bill, entitled

A bill to lay out and improve a State road, to be known as the Genesee and Tuscola State road;

Also, House manuscript bill, entitled

A bill to lay out and establish a State road from the terminus of the Saginaw and Gratiot State road, to the Muskegon river, in Newaygo county;

Also, substitute for House manuscript bill, entitled

A bill to provide for laying out and establishing a State road in the counties of Lapeer and Tuscola;

Also, House manuscript bill, entitled

A bill to provide for laying out and constructing a

swamp land State road, in the county of Ionia, to be known as the Ionia and Smyrna State road;

Also, House manuscript bill, entitled

A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, in the counties of Sanilac and Huron;

Also, House manuscript bill, entitled

A bill to amend section one of an act providing for a re-survey of a portion of the Grand Rapids and Muskegon State road, and appropriation of swamp land for the improvement thereof, approved March 20th, 1863;

Have directed their chairman to report the same back to the Senate, without amendment, and recommend their passage.

GEO. H. FRENCH, *Chairman.*

The report was accepted and committee discharged.

On motion of Mr. Grosvenor,

The bills were placed on the order of third reading.

Mr. Jerome, by unanimous consent, submitted the following report:

By the committee on State affairs:

The committee on State affairs, to whom was referred Senate manuscript bill, being

A bill to authorize the townships in St. Joseph county, to aid any corporation now in existence, or to be hereafter organized, to re-construct the railroad from Constantine to Three Rivers, by loans or donations,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

Report accepted and committee discharged.

The Senate concurred in the amendment reported by the committee.

The bill was placed on the order of third reading.

Mr. Grosvenor moved to reconsider the vote by which the Senate ordered 300 copies of the general bounty bill printed for the use of the Senate;

Which motion prevailed.

On motion of Mr. Grosvenor,

The motion was laid on the table.

On motion of Mr. Jerome,

The Senate resumed the order of

THIRD READING.

House bill No. 15, entitled

A bill to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,
Blackman,	Green,	Monroe,
Clark,	Gidley,	Robison,
Crapo,	Grosvenor,	Wait,
Divine,	Jerome,	Watkins,
Fowler,	Landon,	

17

NAYS.

Mr. Babcock,	Mr. Dow,	Mr. Jay,
Corbin,	Humphrey,	Moore,

6

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to lay out and establish a road, to be known as the White Rock and Bingham State road,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Babcock,	Mr. French,	Mr. Lamb,	
Blackman,	Green,	Landon,	
Clark,	Gidley,	Mears,	
Crapo,	Grosvenor,	Monroe,	
Croswell,	Humphrey,	Moore,	
Divine,	Jay,	Wait,	
Fowler,	Jerome,	Watkins,	21

NAYS.

Mr. Robison, 1

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill No. 20, entitled

A bill to authorize manufacturing companies to amend their articles of association,

Was read a third time, and passed, a majority of all the Senators elect voting therefor, by yeas and nays as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,	
Babcock,	Green,	Monroe,	
Blackman,	Gidley,	Moore,	
Clark,	Grosvenor,	Parker,	
Crapo,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Divine,	Lamb,	Warner,	
Dow,	Landon,	Watkins,	25
Fowler,			

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to authorize certain military officers to administer oaths and take acknowledgments,

Was read a third time;

Mr. Blackman moved to amend by inserting the word "before" after the word "acknowledge," and by striking out the word "before" after the word "State," and inserting the word "by" in lieu thereof;

Which motion prevailed.

The question recurring on the passage of the bill, it was not passed, a majority of all the Senators not voting therefor, the following being the vote thereon:

YEAS.

Mr. Adair,	Mr. Crosswell,	Mr. Green,	
Blackman,	Fowler,	Landon,	
Clark,	French,	Mears,	9

NAYS.

Mr. Babcock,	Mr. Humphrey,	Mr. Parker,	
Corbin,	Jerome,	Robison,	
Crapo,	Lamb,	Warner,	
Dow,	Monroe,	Watkins,	
Gidley,	Moore,		14

Mr. French gave notice that he would, to-morrow, move to reconsider the vote by which the bill, entitled

A bill to authorize certain military officers to administer oaths and take acknowledgments,

Was lost.

House bill No. 2, entitled

A bill to amend section seventeen, of an act to amend an act entitled an act to provide for the formation of companies to construct canals or harbors, and improve the same, approved March 13th, A. D. 1861, and an act amendatory thereto, approved January 15th, 1862, approved March 20th, 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Blackman,	Gidley,	Moore,	
Clark,	Grosvenor,	Parker,	
Crapo,	Humphrey,	Robison,	
Divine,	Jay,	Wait,	
Dow,	Jerome,	Warner,	
Fowler,	Lamb,	Watkins,	
French,	Landon,		23

NAYS.

Mr. Babcock,	Mr. Corbin,	2
--------------	-------------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill No. 25, entitled

A bill to provide temporary additional compensation to certain subordinate officers of the State Prison, for the year commencing December 1, 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Landon,	
Babcock,	French,	Mears,	
Blackman,	Green,	Monroe,	
Clark,	Gidley,	Moore,	
Corbin,	Grosvenor,	Parker,	
Crapo,	Humphrey,	Robison,	
Croswell,	Jay,	Wait,	
Divine,	Jerome,	Warner,	
Dow,	Lamb,	Watkins,	27

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Senate bill No. 12, entitled

A bill to provide for the interest on the war bounty loan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,	
Babcock,	Green,	Monroe,	
Blackman,	Gidley,	Moore,	
Corbin,	Grosvenor,	Parker,	
Crapo,	Humphrey,	Robison,	
Croswell,	Jay,	Wait,	
Divine,	Jerome,	Warner,	
Dow,	Lamb,	Watkins,	
Fowler,	Landon,		26

NAYS.

Mr. Clark,

1

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Senate bill No. 13, entitled

A bill authorizing a war bounty loan,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,	
Babcock,	Green,	Monroe,	
Blackman,	Gidley,	Moore,	
Clark,	Grosvenor,	Parker,	
Crapo,	Humphrey,	Robison,	
Croswell,	Jay,	Wait,	
Divine,	Jerome,	Warner,	
Dow,	Lamb,	Watkins,	
Fowler,	Landon,		26
	NAYS.		0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to lay out and establish a State road from the village of Muir, in Ionia county, to the north line of Isabella county,

Was read third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Blackman,	Gidley,	Monroe,	
Crapo,	Grosvenor,	Moore,	
Croswell,	Humphrey,	Parker,	
Divine,	Jerome,	Wait,	
Fowler,	Lamb,	Watkins,	
French,			19

NAYS.

Mr. Clark,	Mr. Jay,	Mr. Robison,	
Dow,	Landon,	Warner,	6

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to provide for the drainage and reclamation of swamp land by means of State road and ditches,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Crapo,
Divine,
Fowler,
French,

Mr. Green,
Gidley,
Grosvenor,
Humphrey,
Jerome,
Lamb,

Mr. Mears,
Monroe,
Parker,
Wait,
Watkins,

17

NAYS.

Mr. Babcock,
Clark,
Dow,

Mr. Jay,
Landon,

Mr. Robison,
Warner,

7

The title was agreed to, and the bill ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to lay out and establish a State road from the terminus of the Saginaw and Gratiot State road, to the Muskegon river, in Newaygo county,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Crapo,
Divine,
Fowler,
French,

Mr. Green,
Gidley,
Grosvenor,
Humphrey,
Jerome,
Lamb,

Mr. Mears,
Monroe,
Moore,
Parker,
Wait,
Watkins,

18

NAYS.

Babcock,
Clark,
Dow,

Mr. Jay,
Landon,

Mr. Robison,
Warner,

7

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to provide for laying out and establishing a State road in the counties of Lapeer and Tuscola,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Crapo,
Divine,
Fowler,
French,

Mr. Green,
Gidley,
Grosvenor,
Humphrey,
Jerome,
Lamb,

Mr. Monroe,
Moore,
Parker,
Wait,
Watkins,

17

NAYS.

Mr. Babcock,
Clark,

Mr. Dow,
Jay,

Mr. Landen,
Warner,

6

The title was agreed to.

House manuscript bill, entitled

A bill to lay out and improve a State road, to be known as the Genesee and Tuscola State road,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Crapo,
Divine,
Fowler,
French,

Mr. Green,
Gidley,
Grosvenor,
Jerome,
Lamb,
Mears,

Mr. Monroe,
Moore,
Parker,
Wait,
Watkins,

17

NAYS.

Mr. Babcock,
Clark,
Dow,

Mr. Jay,
Landen,

Mr. Robison,
Warner,

7

The title was agreed to.

House manuscript bill, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches, in the counties of Sanilac and Huron,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Crapo,
Crowell,

Mr. Green,
Gidley,
Grosvenor,
Humphrey,

Mr. Mears,
Monroe,
Moore,
Parker,

Divine,
Fowler,
French,

Jerome,
Lamb,

Wait,
Watkins,

19

NAYS.

Mr. Babcock,
Clark,

Mr. Jay,
Landon,

Mr. Robison,
Warner,

6

The title was agreed to.

Senate manuscript bill, entitled

A bill to authorize certain townships in St. Joseph county, to subscribe for stock in a corporation now in existence, or to be hereafter organized, to re-construct the railroad from Constantine to Three Rivers, or to aid the same by loans or donations,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Clark,
Crapo,
Divine,
Fowler,
French,

Mr. Green,
Gidley,
Grosvenor,
Jerome,
Landon,
Mears,
Monroe,

Mr. Moore,
Parker,
Robison,
Wait,
Warner,
Watkins,

20

NAYS.

Mr. Babcock,

Mr. Humphrey,

Mr. Jay,

3

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to provide for the drainage and reclamation of swamp lands by means of a road, to be known as the East Saginaw and Junction State road,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Clark,
Crapo,
Divine,
Fowler,

Mr. French,
Green,
Gidley,
Grosvenor,
Humphrey,
Jerome,

Mr. Lamb,
Mears,
Monroe,
Moore,
Parker,
Watkins,

18

NAYS.

Mr. Babcock,	Mr. Landon,	Mr. Warner,	
Jay,	Robison,		5

The title was agreed to.

House manuscript bill, entitled

A bill to lay out and provide for the construction of a State swamp land road in the county of Ionia, to be known as the Ionia and Smyrna State road,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Lamb,	
Blackman,	Green,	Mears,	
Crapo,	Gidley,	Monroe,	
Croswell,	Grosvenor,	Moore,	
Divine,	Humphrey,	Parker,	
Fowler,	Jerome,	Wait,	18

NAYS.

Mr. Babcock,	Mr. Landon,	Mr. Warner,	
Clark,	Robison,		5

The title was agreed to.

House manuscript bill, entitled

A bill to amend section 1 of an act providing for a re-survey of the Grand Rapids and Muskegon State road, and appropriations of swamp lands for the improvement thereof, approved March 20, 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Blackman,	Gidley,	Monroe,	
Clark,	Grosvenor,	Moore,	
Crapo,	Humphrey,	Parker,	
Croswell,	Jay,	Robison,	
Divine,	Jerome,	Wait,	
Dow,	Lamb,	Warner,	
Fowler,	Landon,	Watkins,	
French,			25

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to return the following entitled bill:

A bill to authorize the several townships, cities and incorporated villages in any of the counties on the line of the proposed railroad of the Amboy, Lansing and Traverse Bay Railroad Company, to aid in the construction of said railroad,

And to inform the Senate that the House has made the following amendments thereto:

1st. By striking out in the 4th line of section 2, the words "the rate of interest;" also, by striking out the word "fifteen," in line 3, of section 2, and inserting in lieu thereof the word "thirty;" also, by striking out of section 2, in line 5, all after the word "village," to and including the word "law," in the 6th line, and inserting in lieu thereof the words "by giving at least ten days notice of the time and place of such meeting, by posting written or printed notices in five or more of the most public places in such township, city or incorporated village."

2d. By inserting after the word "and," in line 4, of section 3, the words "president and trustees of;" also, by inserting in line 6, of section 3, after the word "determination," the following: "according to the provisions of this act;" also, by striking out the proviso at the end of section 3.

3d. By inserting before the word "village," in line 1, of section 4, the following words: "the president and trustees of any."

4th. By striking out in line 5, of section 3, the words "townships, cities or villages," and inserting in lieu thereof the words "such township, city or village;" also, by inserting after the

word "value," in the 5th line of section 5, the following: "or bear a rate of interest greater than 7 per cent. per annum."

In the passage of which, as thus amended, the House has concurred by a majority vote of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

Mr. French moved that the Senate concur;

Which motion prevailed, the following being the vote thereon:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Clark,
Crapo,
Croswell,
Divine,
Dow,
Fowler,

Mr. French,
Green,
Gidley,
Grosvenor,
Humphrey,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Monroe,
Parker,
Robison,
Wait,
Warner,
Watkins,

25

NAYS.

0

The bill was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed to transmit to the Senate the following entitled bill:

A bill to amend section 5 of an act to authorize and provide for re-platting the village of Hastings, in the county of Barry,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on the judiciary.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate :

SIR—I am instructed by the House to transmit the following entitled bill:

A bill to legalize the proceedings of a township meeting of the electors of the township of Lodi, in the county of Washtenaw, providing for the filling of the quota of said township under the last call for 300,000 men, and to authorize the auditing and allowance of claims against said township, and to authorize said township to levy and collect by tax the amounts hired, advanced and expended under the authority of said township meetings,

Which have passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the select committee on bounties.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to amend section 1 of chapter 58 of the compiled laws,

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members

elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title, and referred to the committee on State affairs.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 3, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled joint resolution:

Joint resolution for the relief of Henry McKenzie;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

On motion of Mr. Robison,

The Senate adjourned.

Lansing, Thursday, February 4, 1864.

The Senate was called to order by the President, at 10 o'clock A. M.

Prayer by the Rev. Mr. Tilley.

Roll called: a quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on federal relations:

The committee on federal relations, to whom was referred House resolution in relation to [B. H. Hill, Assistant Provost

Marshal General, would respectfully report that they have given this subject such attention as time and circumstances would permit, and from the testimony which has come before us, your committee believe that in several instances, Col. Hill has been hasty and imprudent, but the General tenor of the testimony is, that he is a capable, faithful and efficient officer—fair and impartial in his decisions, and performs his duties with fidelity to the Government. Your committee would therefore report the resolution back to the Senate and recommend that it do not pass, and ask to be discharged from the further consideration of the subject.

J. G. WAIT,
M. C. WATKINS,
WILLIAM JAY,
Committee.

The report was accepted, committee discharged.

Mr. French moved to lay the resolution on the table;

Which motion did not prevail, the following being the vote thereon:

YEAS.

Mr. Adair,
Blackman,
Croswell,
Dow,

Mr. French,
Green,
Jay,

Mr. Robison,
Wait,
Watkins,

10

NAYS.

Mr. Babcock,
Buell,
Clark,
Corbin,
Divine,

Mr. Gidley,
Grosvenor,
Hewett,
Jerome,
Lamb,

Mr. Landon,
Monroe,
Moore,
Parker,

14

The question recurring upon the concurrence of the Senate in the adoption of the resolution,

The Senate concurred therein, the following being the vote thereon:

YEAS.

Mr. Babcock,
Buell,
Clark,
Corbin,
Divine,

Mr. Dow,
Gidley,
Grosvenor,
Hewett,
Jerome,

Mr. Landon,
Mears,
Monroe,
Moore,
Parker,

15

NAYS.

Mr. Adair,
Blackman,
Croswell,

Mr. French,
Jay,
Robison,

Mr. Wait,
Watkins,

8

By the committee on the judiciary:

The committee on the judiciary, to whom was referred

A bill to legalize the action of the township of York in reference to raising volunteers,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendment, recommending that the amendment be concurred in, and that the bill when so amended, do pass, and ask to be discharged from the further consideration of the subject.

C. M. CROSWELL, *Chairman.*

Report accepted and committee discharged.

On motion of Mr. Watkins,

The Senate concurred.

The bill was ordered to a third reading.

By the committee on the judiciary:

The committee on the judiciary to whom was referred

A bill to amend section five of an act to authorize and provide for re-platting the village of Hastings, in the county of Barry, approved March 20, 1863,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

C. M. CROSWELL, *Chairman.*

Report accepted and committee discharged.

The bill was ordered to a third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred House bill No. 14, being

A bill to authorize the several townships of Kalamazoo and

St. Joseph counties to subscribe stock in the Schoolcraft and Three Rivers railroad company,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying substitute, recommending that the substitute be adopted, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

The report was accepted and the committee discharged.

On motion of Mr. French,

The Senate concurred in the substitute reported by the committee, which, being

A bill to authorize the townships of Kalamazoo and St. Joseph counties, on the line of the Schoolcraft and Three Rivers railroad, to aid in the construction of said road,

Was ordered to a third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred House manuscript bill, entitled

A bill to amend sections 1 and 4, of chapter 58, of the compiled laws,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

Report accepted and committee discharged.

The bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs to whom was referred

Joint resolution for the relief of Henry McKenzie,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass,

and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

Report accepted and committee discharged.

The joint resolution was ordered to a third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred House manuscript bill, entitled

A bill to authorize the electors of the township of Rollin, in the county of Lenawee, at the annual township meeting in 1864, to determine, by vote, whether they will refund to the township treasurer of said township, certain moneys lost by him, by reason of the failure of the People's Bank of Hudson,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

The report was accepted and committee discharged.

The bill was ordered to a third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred House manuscript bill, entitled

A bill to authorize the several townships of the counties of Kent, Ottawa and Muskegon to aid any railroad company now in existence, or that may be hereafter organized, in the construction of a railroad from the village of Muskegon to some convenient point on the Detroit and Milwaukee railway,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

The report was accepted and committee discharged.

On motion of Mr. Watkins,

The Senate concurred in the amendments.

The bill was placed on the order of third reading.

By the committee on State affairs:

The committee on State affairs, to whom was referred House bill No. 26, entitled

A bill to authorize the several townships in the counties of Ottawa, Allegan, Van Buren and Berrien, to pledge their credit in aid of the construction of a railroad from Grand Haven to New Buffalo,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, with the accompanying amendments, recommending that the amendments be concurred in, and that the bill, when so amended, do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman.*

Report accepted and committee discharged.

The Senate concurred in the amendments.

The bill was ordered to a third reading.

By the committee on incorporations:

The committee on incorporations, to whom was re-committed House bill, entitled

A bill authorizing the township of Saline, Washtenaw county, to levy, assess, and collect upon the taxable property of said township the amount of bonds issued by said township board for county purposes,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

CHAS. MEARS, *acting Chairman.*

Report accepted and committee discharged.

The bill was placed on the order of third reading.

By the finance committee:

The finance committee, acting with committee on ways and means of the House, to whom was referred that portion of the Governor's message which recommends an amendment to the act authorizing the payment of a State bounty, approved March 6th, 1863, would respectfully report that they have had the same under consideration, and have directed me to report herewith a bill, in accordance with the recommendation of the Governor, and recommend that the bill do pass, and ask to be discharged from the further consideration of the subject.

E. O. GROSVENOR, *Chairman.*

The bill was read a first and second time by its title, and placed on the order of third reading.

On motion of Mr. Grosvenor,

The Senate went into executive session.

The executive session closed.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following entitled bills:

1. A bill authorizing a war bounty loan;

2. A bill to provide for the interest on the war bounty loan;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bills was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR:—I am instructed to inform the Senate that the House has concurred in the recommendations of the committee of conference, on the disagreement of the two Houses on Senate bill No. 6, entitled

A bill authorizing the payment of bounties to volunteers in the service of the United States.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That the Secretary of State be and he is hereby instructed to procure to be printed, in cheap pamphlet form, so much of the revised statutes and session laws as has reference to highway commissioners and overseers of highways, and to forward to each of the county clerks a sufficient number of copies of said laws to supply each of said township officers with one copy thereof,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Watkins,

The Senate concurred, by yeas and nays, as follows:

YEAS.

Mr. Adair,
 Babcock,

Mr. French,
 Green,

Mr. Landon,
 Mears,

Blackman,
Buell,
Clark,
Croswell,
Divine,
Dow,

Gidley,
Grosvenor,
Hewett,
Jay,
Jerome,
Lamb,

Moore,
Parker,
Robison,
Wait,
Watkins,

28

NAYS.

0

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following entitled bill:

A bill to legalize the assessment roll of the township of Superior, in the county of Washtenaw, for the year 1863;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in all which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title.

On motion of Mr. Jay,

The bill was placed on the order of third reading.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That the Secretary of State be and he is hereby authorized and directed to procure and distribute 5,000 copies of the bill entitled "a bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections forty-five and sixty-one, of chapter six, of the compiled laws," passed at this

session, among the Michigan regiments and batteries in the service of the United States;

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Mears,

The Senate concurred, by a majority vote of all the Senators elect, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Croswell,
Divine,
Dow,

Mr. French,
Green,
Grosvenor,
Jerome,
Lamb,
Mears,

Mr. Monroe,
Moore,
Parker,
Robison,
Wait,
Watkins,

19

NAYS.

0

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved, (the Senate concurring,) That the Secretary of State be authorized and required to cause to be printed, and forward with the copies of the law passed at this session "authorizing the payment of bounties to volunteers," an equal number of copies of the joint resolution relative to the relief of the families of volunteers mustered from this State into the military or naval service of the United States, or of this State, and declaratory of the meaning of act No. 173, of the session laws of 1863, passed for that purpose,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Divine,

The Senate concurred, the following being the vote thereon:

YEAS.

Mr. Adair,	Mr. Dow,	Mr. Landon,	
Babcock,	French,	Mears,	
Blackman,	Green,	Moore,	
Buell,	Grosvenor,	Parker,	
Clark,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Divine,	Lamb,	Watkins,	21

NAYS.

0

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
 Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed to return to the Senate the following concurrent resolution:

Resolved, (the House concurring,) That the Secretary of State be and he is hereby directed to cause to be printed, in pamphlet form, all the laws passed at this session of the Legislature in reference to bounties, and transmit a copy of the same to each supervisor and clerk of every township, city or ward in the State;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The resolution was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES,
Lansing, February 4, 1864.

To the President of the Senate:

SIR—I am instructed by the House to return the following entitled bill:

A bill to authorize certain townships in St. Joseph county to subscribe for stock in a corporation now in existence, or to be hereafter organized, to reconstruct the railroad from Constantine to Three Rivers, or to aid the same by loans or donations;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES,
Lansing, February 4, 1864.

To the President of the Senate:

SIR—I am instructed to return to the Senate the following entitled joint resolution:

Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard and others, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Commissioner of the State Land Office to issue patents of State swamp land therefor;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The joint resolution was read a first and second time by its title, and referred to the committee on State affairs.

MOTIONS, RESOLUTIONS AND NOTICES.

Mr. French offered the following:

Resolved, (the House concurring) That the people of the State of Michigan, by their Senators and Representatives in Legislature assembled, do hereby solemnly reaffirm their unalterable attachment to the Government, the Constitution and the Union, and their undying hostility to the rebellion, which, without cause, is warring to subvert, overthrow and destroy our liberties, and the institutions of the Republic.

Resolved, That we will support and maintain the National Administration in its efforts to maintain the authority of the Government, the integrity of the Constitution and the preservation of the Union, by the utter and complete overthrow of armed rebellion, and the infliction of such just and merited punishment upon all rebels and traitors, as shall be a solemn warning in all time to come, against any future attempt at disunion, and secure the permanent and enduring peace, prosperity and good of the nation.

Resolved, That a copy of the above resolutions be transmitted, by the Governor, to the President and our Senators and Representatives in Congress.

Mr. Moore called for the yeas and nays;

The resolution was adopted, the following being the vote thereon:

YEAS.

Mr. Adair,	Mr. French,	Mr. Landon,	
Babcock,	Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
Croswell,	Jay,	Wait,	
Divine,	Jerome,	Watkins,	
Dow,	Lamb,		24

NAYS.

0

Mr. Croswell, by unanimous consent, introduced

Joint resolution relative to the meeting of the enrollment boards.

The joint resolution was read a first and second time by its title;

Mr. Croswell moved that the joint resolution be put upon its immediate passage;

Which motion prevailed.

The joint resolution was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Croswell,
Divine,
Dow,

Mr. French,
Green,
Gidley,
Grosvenor,
Hewett,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Monroe,
Moore,
Parker,
Robison,
Wait,
Watkins,

24

NAYS.

0

The title was agreed to.

Mr. French moved to reconsider the vote whereby House manuscript bill authorizing the taking of acknowledgments and administering oaths and affidavits, was lost;

Which motion prevailed.

Mr. French, by unanimous consent, moved to amend the bill in section 1, by striking out the words "commissioned military officers above the rank of captain," and inserting in lieu thereof, the words "colonel or lieutenant colonel;"

Which motion prevailed.

The bill as thus amended, was not passed, a majority of all the Senators elect not voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Blackman,
Buell,
Clark,
Croswell,
Divine,

Mr. Dow,
French,
Green,
Grosvenor,
Hewett,

Mr. Jay,
Landon,
Mears,
Wait,
Watkins,

16

NAYS.

Mr. Babcock,
Jerome,
Lamb,

Mr. Monroe,
Moore,

Mr. Parker,
Robison,

The Senate went into Executive session.

The Executive session closed.

On motion of Mr. Croswell,

The Senate took a recess until 2 o'clock P. M.

AFTERNOON SESSION.

The Senate was called to order by the President, at 2 o'clock P. M.

Roll called: a quorum present.

REPORTS OF STANDING COMMITTEES.

By the committee on State affairs:

The committee on State affairs, to whom was referred House joint resolution, entitled

Joint resolution relative to the settlement of the claim of William Beard,

Respectfully report that they have had the same under consideration, and have directed me to report the same back to the Senate, without amendment, and recommend that it do pass, and ask to be discharged from the further consideration of the subject.

D. H. JEROME, *Chairman*.

Report accepted and committee discharged.

The joint resolution was placed on the order of third reading.

By the committee on enrollment:

The committee on enrolled bills, to whom was referred

Joint resolution to authorize the Governor to convey certain lands to certain Indians, for whom the same are held in trust;

Also,

A bill to extend the time for collection of taxes in the townships of Hudson and Rollin, in the county of Lenawee, and the

township of Pittsford, in the county of Hillsdale, for the year 1863;

Also,

A bill to extend the time for the collection of taxes in the township of Fairfield, in the county of Lenawee;

Also,

A bill to extend the time for the collection of taxes, for the year 1863, in the township of Holly, in the county of Oakland;

Also,

A bill to authorize manufacturing corporations in the counties of Saginaw and Bay, to take stock in plank road companies, and associations for the improvement of Saginaw river;

Also,

A bill to extend the time for the collection of taxes in the township of Ingersoll, in the county of Midland, and to legalize the tax roll of said township;

Also,

A bill to amend an act entitled an act to amend sections 19, 20 and 21 of an act entitled an act to provide for the incorporation of railroad companies, approved February 15, 1859;

Also,

A bill to extend the time for the collection of taxes, for the year 1863, in the township of Woodstock, in the county of Lenawee;

Also,

A bill to extend the time for the collection of taxes in the city of Lansing, in the county of Ingham, for the year 1863;

Also,

A bill to extend the time for the collection of taxes in the township of Romulus, in the county of Wayne, and the township of Lapeer, in the county of Lapeer, for the year 1863,

Would respectfully report that they have examined the same, and herewith return them to the Senate correctly enrolled.

S. H. BLACKMAN, *Chairman.*

Report accepted and committee discharged.

The bills were signed and presented to the Governor.

THIRD READING.

A bill to authorize the several townships of Kalamazoo and St. Joseph counties, on the line of the Schoolcraft and Three Rivers railroad, to aid in the construction of said road,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows;

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Robison,	
Divine,	Jerome,	Watkins,	
French,	Landon,		17

NAYS.

Mr. Babcock,	Mr. Jay,	2
--------------	----------	---

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to amend section 1, of chapter 58 of the compiled laws,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Landon,	
Babcock,	Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
Croswell,	Jay,	Robison,	
Divine,	Jerome,	Watkins,	
Dow,	Lamb,		23

NAYS.

0

On motion of Mr. Landon,

The title was amended by inserting the words "and four" after the word "one," and, as thus amended, was agreed to.

House manuscript joint resolution, entitled

Joint resolution for the relief of Henry McKenzie,

Was read a third time;

On motion of Mr. Blackman,

The joint resolution was amended by striking out the word "instructed," and inserting the word "authorized," in lieu thereof."

The joint resolution was then passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Landon,	
Babcock,	Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
Croswell,	Jay,	Robison,	
Divine,	Jerome,	Wait,	
Dow,	Lamb,	Watkins,	24

NAYS.

0

The title was agreed to.

Senate manuscript bill, entitled

A bill to authorize the electors of the township of Rollin, in the county of Lenawee, at the annual township meeting, in 1864, to determine by vote whether they will refund to the township treasurer of said township certain moneys lost by him by reason of the failure of the People's Bank of Hudson,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Landon,	
Babcock,	Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
0 Croswell,	Jay,	Robison,	
Divine,	Jerome,	Wait,	
Dow,	Lamb,	Watkins,	24

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to authorize the several townships of the counties of Kent, Ottawa and Muskegon, to aid any railroad company

now in existence, or that may be hereafter organized, in the construction of a railroad from the village of Muskegon to some convenient point on the Detroit and Milwaukee railroad,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,	Mr. Gidley,	Mr. Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
Divine,	Jerome,	Robison,	
French,	Landon,	Wait,	
Green,	Mears,	Watkins,	18

NAYS.

Mr. Adair,	Mr. Dow,	Mr. Jay,	
Babcock,			4

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill authorizing the township board of the township of Saline, Washtenaw county, to levy, assess and collect upon the taxable property of said township the amount of bonds issued by said township board for bounty purposes,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Babcock,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
Croswell,	Jay,	Robison,	
Divine,	Jerome,	Wait,	
Dow,	Lamb,	Watkins,	
French,	Landon,		28

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

Senate manuscript bill, entitled

A bill to amend section 1 of an act entitled an act to author-

ize the payment of a State bounty to volunteers mustered from this State into the military service of the United States,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and, nays as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,	
Babcock,	Green,	Monroe,	
Blackman,	Gidley,	Moore,	
Buell,	Grosvenor,	Parker,	
Clark,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Divine,	Lamb,	Watkins,	
Dow,	Landon,		23
	YEAS.		0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to legalize the assessment roll of the township of Superior, in the county of Washtenaw, for the year 1863,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Babcock,	Gidley,	Monroe,	
Blackman,	Grosvenor,	Moore,	
Buell,	Hewett,	Parker,	
Clark,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Dow,	Lamb,	Watkins,	
French,	Landon,		23
	YEAS.		0

Mr. Divine, 1

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

House manuscript bill, entitled

A bill to amend section 5 of an act to authorize and provide for re-platting the village of Hastings, in the county of Barry,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Mears,	
Babcock,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
Croswell,	Jay,	Robison,	
Divine,	Jerome,	Wait,	
Dow,	Lamb,	Watkins,	
French,	Landon,		23
	NAYS.		0

The title was agreed to.

House manuscript bill, entitled

A bill to legalize the action of the township of York, in relation to raising volunteers,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Green,	Mr. Landon,	
Babcock,	Gidley,	Mears,	
Buell,	Grosvenor,	Monroe,	
Clark,	Hewett,	Moore,	
Croswell,	Jay,	Parker,	
Divine,	Jerome,	Robison,	
Dow,	Lamb,	Watkins,	
French,			22
	NAYS.		0

The title was agreed to, and the bill ordered to take immediate effect, by a two-thirds vote of all the Senators elect.

House bill, entitled

A bill to authorize the several townships of the counties of Ottawa, Allegan, Van Buren and Berrien to pledge their credit in aid of the construction of a railroad from Grand Haven to New Buffalo,

Was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Blackman,	Mr. Bidley,	Mr. Moore,
Buell,	Grosvenor,	Parker,
Clark,	Hewett,	Robison,

Divine,
French,
Green,

Jerome,
Mears,
Monroe,

Wait,
Watkins,

17

NAYS.

Mr. Adair,
Babcock,

Mr. Dow,

Mr. Jay,

4

The title was agreed to.

House manuscript joint resolution, entitled

Joint resolution relative to the settlement of the claim of
William Beard,

Was read a third time and passed, a majority of all the
Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Buell,
Clark,
Croswell,
Divine,
Dow,

Mr. French,
Green,
Gidley,
Grosvenor,
Hewett,
Jay,
Jerome,

Mr. Lamb,
Landon,
Mears,
Monroe,
Moore,
Parker,
Watkins,

21

NAYS.

Mr. Robison,

1.

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,
Lansing, February 4, 1864. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State, the following:

An act to extend the time for the collection of taxes in the townships of Hudson and Rollin, in the county of Lenawee, and the township of Pittsford, in the county of Hillsdale, for the year 1863;

Also,

An act to authorize manufacturing corporations in the counties of Saginaw and Bay, to take stock in plank road companies,

and associations formed for the improvement of the Saginaw river;

Also,

An act to extend the time for collection of taxes in the township of Ingersoll, in the county of Midland, and to legalize the tax roll of said township;

Also,

An act to amend an act entitled an act to amend sections 19, 20 and 21 of an act entitled an act to provide for the incorporation of railroad companies, approved February 15, 1859;

Also,

An act to extend the time for the collection of taxes for the year 1863, in the township of Woodstock, in the county of Lenawee;

Also,

An act to extend the time for the collection of taxes in the county of Ingham, for the year 1863;

Also,

An act to extend the time for the collection of taxes in the township of Romulus, in the county of Wayne, and the township of Lapeer, in the county of Lapeer, for the year 1863;

Also,

An act to extend the time for the collection of taxes, for the year 1863, in the township of Holly, in the county of Oakland;

Also,

An act to extend the time for the collection of taxes in the township of Fairfield, in the county of Lenawee;

Also,

Joint resolution to authorize the Governor to convey certain lands to certain Indians, for whom the same are held in trust.

AUSTIN BLAIR.

The message was laid on the table.

Also, the following:

EXECUTIVE OFFICE,
Lansing, February 3, 1864. }

To the Senate:

I have this day approved, signed and deposited in the office of the Secretary of State, the following:

An act to authorize the county of Bay to issue its bonds to aid in the construction of a railroad from Bay City to East Saginaw;

Also,

An act to provide for the preparation of the soldiers' national cemetery, at Gettysburg, in the State of Pennsylvania;

An act to authorize the township of South Haven, in Van Buren county, and other townships in the counties of Van Buren and Allegan, to make loans and levy taxes for the construction and improvement of the Harbor at the mouth of South Black River, in said township of South Haven;

Also,

Joint resolution relative to the construction of an artesian well, at the State Reform School.

AUSTIN BLAIR.

The message was laid on the table.

MESSAGES FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to return the following entitled bill:

A bill to amend section 1 of an act entitled an act to authorize the payment of a State bounty to volunteers, mustered from this State into the military service of the United States;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to

take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to return the following entitled bill:

A bill to authorize the electors of the township of Rollin, in the county of Lenawee, at the annual township meeting in 1864, to determine by vote, whether they will refund to the township treasurer of said township, certain moneys lost by him, by reason of the failure of the People's Bank of Hudson;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR:—I am instructed to return to the Senate the following concurrent resolution:

Resolved, (the House concurring,) That the people of the State of Michigan, by their Senators and Representatives in Legislature assembled, do hereby solemnly reaffirm their unal-

terable attachment to the Government, the Constitution and the Union, and their undying hostility to the rebellion, which, without cause, is warring to subvert, overthrow and destroy our liberties and the institutions of the Republic.

Resolved, That we will support and maintain the National Administration in its efforts to maintain the authority of the Government, the integrity of the Constitution, and the preservation of the Union, by the utter and complete overthrow of armed rebellion, and the infliction of such just and merited punishment upon all rebels and traitors as shall be a solemn warning in all time to come against any future attempt at disunion, and secure the permanent and enduring peace, prosperity and good of the nation.

Resolved, That a copy of the above resolutions be transmitted by the Governor to the President, and our Senators and Representatives in Congress;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The resolution was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to transmit the following entitled bill:

A bill to extend the time for the townships of Kalamazoo and Comstock, in the county of Kalamazoo, to avail themselves of the provisions of an act entitled an act to legalize the action of townships, cities and counties, in raising bounties for volunteers, approved March 7, 1863;

Which has passed the House by a majority vote of all the members elect, and by a vote of two-thirds of all the members

elect, been ordered to take immediate effect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was read a first and second time by its title.

Mr. Wait moved that the bill be put on its immediate passage;

Which motion prevailed.

The bill was then read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Mears,	
Babcock,	Green,	Monroe,	
Blackman,	Gidley,	Moore,	
Buell,	Grosvenor,	Parker,	
Clark,	Jay,	Robison,	
Croswell,	Jerome,	Wait,	
Divine,	Lamb,	Watkins,	
Dow,	Landon,		23

NAYS.

0

The title was agreed to, and the bill ordered to take immediate effect by a two-thirds vote of all the Senators elect.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed to transmit to the Senate the following entitled joint resolution:

Joint resolution relative to meetings of the enrollment boards;

In the passage of which the House has concurred by a majority vote of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The joint resolution was referred to the committee on enrollment, for enrollment.

The President also announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR—I am instructed by the House to transmit the following concurrent resolution:

Resolved by the House of Representatives of the State of Michigan, (the Senate concurring,) That our brave soldiers who have gone forth to the battle-field to defend and protect the Constitution and the Union, and especially the scarred and war-worn veterans who, after upholding for two years their country's honor and flag, have now re-enlisted for the accomplishment of the great object for which the war was undertaken on the part of the Government, are entitled to and we hereby tender them the thanks of the State,

Which has passed the House by a majority vote of all the members elect, and in which the concurrence of the Senate is respectfully asked.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

On motion of Mr. Hewett,

The Senate concurred, the following being the vote thereon:

YEAS.

Mr. Adair,	Mr. French,	Mr. Landon,	
Babcock,	Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
Croswell,	Jay,	Robison,	
Divine,	Jerome,	Wait,	
Dow,	Lamb,	Watkins,	24

NAYS.

0

Mr. Green, by unanimous consent, introduced

A bill to amend an act entitled an act to organize the county of Leelanaw, and to define the county of Benzie.

The bill was read a first and second time by its title.

On motion of Mr. Gidley,

The bill was read a third time and passed, a majority of all the Senators elect voting therefor, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. French,	Mr. Landon,	b
Babcock,	Green,	Mears,	
Blackman,	Gidley,	Monroe,	
Buell,	Grosvenor,	Moore,	
Clark,	Hewett,	Parker,	
Croswell,	Jay,	Robison,	
Divine,	Jerome,	Wait,	
Dow,	Lamb,	Watkins,	24

NAYS.

0

On motion of Mr. French,

The Secretary of the Senate was authorized to employ an assistant during this day;

Mr. Clark offered the following:

Resolved, That the thanks of the Senate are hereby tendered to the Lieut. Governor and President, the Hon. Chas. S. May, and to the Hon. Chas. M. Croswell, President *pro tem.*, for the able, courteous, dignified and impartial manner in which they have, respectively, presided over our deliberations during the present session;

Which was unanimously adopted.

Mr. Hewett offered the following:

Resolved, That the thanks of the Senate are hereby tendered to the Secretary and Assistant Secretary, and Engrossing and Enrolling Clerks of the Senate, as well for the ability with which they have discharged their duties at the present session, as for their accommodating and courteous manner in discharging the same;

Which was unanimously adopted.

Mr. Clark offered the following:

Resolved, That the thanks of the Senate are hereby tendered to the Sergeant-at-Arms, Assistant Sergeant-at-Arms and fireman, for the efficient manner in which they have discharged the duties of their respective offices;

Which was adopted.

Mr. French offered the following:

Resolved, That the thanks of the Senate are hereby tendered to the citizens of the city of Lansing for their kind, courteous and considerate attention to the members of the Legislature during the present session;

Which was adopted.

Mr. Jay offered the following:

Resolved, That the thanks of this Senate are hereby tendered to the reporters for their impartial reports of the proceedings of this body, and the sum of eight dollars is hereby appropriated to them for stationery;

Which was adopted.

The Senate took a recess until 7 o'clock P. M.

— EVENING SESSION.

The Senate was called to order by the President, at 7 o'clock P. M.

Roll called: a quorum present.

MESSAGE FROM THE OTHER HOUSE.

The President announced the following:

HOUSE OF REPRESENTATIVES, }
Lansing, February 4, 1864. }

To the President of the Senate:

SIR:—I am instructed by the House to return to the Senate the following entitled bill:

A bill to amend an act entitled an act to organize the county, of Leelanaw, and to define the county of Benzie;

In the passage of which the House has concurred by a majority vote of all the members elect, and has ordered the same to take immediate effect by a vote of two-thirds of all the members elect.

Very respectfully,

N. B. JONES,

Clerk of the House of Representatives.

The bill was referred to the committee on enrollment, for enrollment.

Mr. Babcock moved that when the Senate adjourn, the adjournment shall be until 8 o'clock to-morrow morning;

Which motion prevailed.

Mr. Grosvenor moved that a committee of two be appointed to wait upon the House of Representatives and inform that body that the Senate has completed its business and is ready to adjourn;

Which motion prevailed.

The President appointed as such committee, Senators Grosvenor and Parker.

A committee from the House of Representatives appeared, and announced that that body had completed its business and was ready to adjourn.

The President delivered an appropriate closing address to Senate.

On motion of Mr. Landon,

The Senate adjourned.

Lansing, Friday, February 5, 1864.

The Senate was called to order by the President *pro tempore*, at 8 o'clock A. M.

Roll called: not a quorum present.

Mr. Blackman, from the committee on enrollment and engrossment, submitted the following report:

The committee on enrolled bills, to whom was referred

A bill to authorize the several townships, cities and incorporated villages in any of the counties on the line of the Amboy, Lansing and Traverse Bay Railroad Company, to aid in the construction of said railroad;

Also,

A bill to provide for the interest on the war bounty loan;

Also,

A bill to authorize the electors of the township of Rollin, in the county of Lenawee, at the annual township meeting in 1864,

to determine, by vote, whether they will refund to the township treasurer of said township, certain moneys lost by him, by reason of the failure of the People's Bank of Hudson;

Also,

A bill to amend section 1 of an act entitled an act to authorize the payment of a State bounty to volunteers, mustered from this State into the military service of the United States, approved March 6, 1863;

Also,

A bill to authorize the townships in St. Joseph county, to aid any corporation now in existence, or to be hereafter organized, to re-construct the railroad from Constantine to Three Rivers, by loans or donations;

Also,

A bill authorizing a war bounty loan;

Also,

A bill authorizing the payment of bounties to volunteers in the service of the United States;

Also,

Joint resolution relative to the meetings of the enrollment boards;

Also,

A bill to amend an act entitled an act to organize the county of Leelanaw, and to define the county of Benzie, approved February 27th, 1863,

Would respectfully report that they have examined the same, and herewith return them to the Senate correctly enrolled.

S. H. BLACKMAN, *Chairman*.

Report accepted and committee discharged.

The Senate adjourned until 8 o'clock to-morrow morning.

Lansing, Saturday, February 6, 1864.

The Senate was called to order by the President *pro tempore*, at 8 o'clock A. M.

Roll called: not a quorum present.

MESSAGE FROM THE GOVERNOR.

The President *pro tempore* announced the following:

EXECUTIVE OFFICE,
Lansing, February 5, 1864. }

To the Senate:

I have approved, signed and deposited in the office of the Secretary of State the following, viz:

An act to amend an act entitled an act to organize the county of Leelanaw, and to define the county of Benzie, approved February 27th, 1863;

Also,

An act to amend section 1 of an act entitled an act to authorize the payment of a State bounty to volunteers, mustered from this State into the military service of the United States, approved March 6, 1863;

Also,

Joint resolution relative to meetings of the enrollment boards;

Also,

An act to authorize certain townships in St. Joseph county, to subscribe for stock in any corporation now in existence, or to be hereafter organized, to re-construct the railroad from Constantine to Three Rivers, or to aid the same by loans or donations;

Also,

An act to authorize the electors of the township of Rollin, in the county of Lenawee, at the annual township meeting in 1864, to determine by vote whether they will refund to the township treasurer of said township certain moneys lost by him by reason of the failure of the People's Bank of Hudson;

Also,

An act authorizing a war bounty loan;

Also,

An act authorizing the payment of bounties to volunteers in the service of the United States;

Also,

An act to authorize the several townships, cities and incorporated villages in any of the counties on the line of the Amboy,

Lansing and Traverse Bay railroad, to aid in the construction of said railroad;

Also,

An act to provide for the interest on the war bounty loan.

AUSTIN BLAIR.

The message was laid on the table.

There being no further business before the Senate, and the hour of 12 o'clock, noon, having been reached,

The Senate adjourned *sine die*.

SENATE CHAMBER,
Lansing, Mich., Feb. 15, 1864. }

I hereby certify the foregoing to be a true and correct journal of the Legislative proceedings of the Senate, at the extra session, commencing January 19, 1864.

WM. A. BRYCE,
Secretary of the Senate.



EXECUTIVE JOURNAL.



EXECUTIVE JOURNAL.

SENATE CHAMBER,
Lansing January, 20, 1864. }

IN EXECUTIVE SESSION.

The executive session opened at 11 o'clock A. M.

The President announced the following communication from the Governor:

EXECUTIVE OFFICE,
Lansing, January 20, 1864. }

To the Senate:

I hereby nominate to the office of Notary Public the following named persons for the several counties hereinafter named, to wit:

For Wayne county:

C. W. Jackson, William Wiley, Charles H. Steele.

For Jackson county:

James O'Donnell, John Landon, Stephen H. Ludlow.

For Marquette county:

Dan H. Ball.

For Isabella county:

Isaac A. Fancher.

For Calhoun county:

James M. Aiken, Brainard T. Skinner.

For Cass county:

Henry Adams.

For Newaygo county:

George E. G. Wouch.

For Lenawee county:

Josephus O. Selden.

For Macomb county.

David Shook.

For Oakland county:

George W. Brock.

For Van Buren county:

Edwin A. Thompson.

For Kent county:

Samuel S. Chapman, John D. Edmonds, John Coffee, Wright Leroy, Alva Willman, Peter R. L. Pierce, John S. Holmes, Jerome B. Gouldsbery.

For Berrien county:

Guy C. Sampson.

For Lapeer county:

N. Buel Eldredge, John M. Wattles, William T. Bennett, John Deming.

For Kalamazoo county:

Gershom P. Doane.

AUSTIN BLAIR.

On motion of Mr. Warner,

The message was referred to the committee on executive business.

On motion of Mr. Grosvenor,

The executive session closed.

SENATE CHAMBER,
Lansing, January 22, 1864. }

IN EXECUTIVE SESSION.

The executive session opened at 11½ o'clock A. M.

The executive committee submitted the following report:

The committee on Executive business, to whom was referred certain nominations made by the Governor, for the office of

Notary Public, have instructed me to report back with their approval, the nomination of George W. Brock, and recommend that the same be confirmed, and as to the rest they ask that further time be allowed them to report.

WM. A. CLARK,

Chairman.

The report was accepted.

The Senate advised and consented to said nomination, by yeas and nays, as follows:

YEAS.

Mr. Adair,	Mr. Fowler,	Mr. Lamb,	
Babcock,	French,	Landon,	
Blackman,	Green,	Mears,	
Buell,	Gidley,	Monroe,	
Clark,	Grosvenor,	Moore,	
Crapo,	Hewett,	Robison,	
Croswell,	Humphrey,	Wait,	
Divine,	Jay,	Warner,	
Dow,	Jerome,	Watkins,	27

NAYS.

0

The executive session closed.

SENATE CHAMBER,
Lansing, February 3, 1864. }

IN EXECUTIVE SESSION.

The President announced the following communication from the Governor:

EXECUTIVE OFFICE,
Lansing February 3, 1864. }

To the Senate:

I hereby nominate the following named persons to the office of Notary Public for the several counties hereinafter named:

For Allegan county:

Nathan H. Soule, Norton Briggs, Hollister F. Marsh, Sen., William W. Kent, Alonzo H. Chandler, James Shirley, Elisha B. Bassett, William B. Williams, Silas E. Stone, John G. Colgrove, James D. Follett, James B. Porter, William Mathews.

For Alpena county:

Robert White.

For Antrim county:

James S. Gilbert.

For Barry county:

Harvey N. Sheldon, Joseph Barton.

For Bay county:

Herschel H. Hatch, Benjamin F. Bush, Edwin E. Benedict, Appleton Stevens, J. J. McCormick, Frank Fitzhugh, Ransom P. Essex, Henry M. Fitzhugh, Alva B. Beach.

For Berrien county:

John V. Phillips, Jerome B. Brown, Cholwell Knox, Thomas H. Glenn, Charles H. Bostick, William W. Beeson, Hiram Brown, William S. Maynard, William A. Squires, Justin T. Vought, George M. Dewey, Samuel McGrigan, William R. Lynn, Benjamin C. Hoyt, Emory Smeed.

For Branch county:

John M. David, Henry C. Clark, F. E. Morgan, Franc B. Way, Amasa R. Day, George Ferguson, Amos C. Woodruff.

For Calhoun county:

John S. Adams, John Devereaux, Walter J. Hayes, Jerome G. Smith, Benjamin F. Hinman, Cholet C. Beach, Thomas J. O'Brien, George Ingersoll, James C. Brooks, Joseph P. Beach, Norman Strong, Charles E. Darrow, Albert N. Rogers, Justin D. Woolley, Matthew N. Cunningham, David H. Miller, James C. Eslow, James A. Miner, James M. Cadwalader.

For Cass county:

Jason Newton, Joel B. Lutes, Chauncey D. Lee.

For Clinton county:

Joseph Platt, Alfred G. Hougham, Anderson Stout, Orrin W. Munger, William F. Moore, Marchus Annis.

For Eaton county:

Edmond Lamson, William J. Hickok, Martin V. Montgomery,

Alanson Harwood, Charles O. Race, Foadick Kilborn, Edward Lamson.

For Genesee county:

Julius Bronsean, William H. O. Lyon, George R. Cummings, Addison Bump, Austin Griffes, Seymour Perry, B. Tupper, Sumner Howard, William M. Fenton, John Orrell, Robert Pearson, Joseph Brush Fenton, William L. Gibson, Charles Pettis, Good-enough Townsend, Jesse Eeles, George R. Gold, William M. Booth, Benjamin F. Fry.

For Grand Traverse county:

Reuben Goodrich, Jesse Crane, Richard Bacon.

For Gratiot county:

Henry P. Howd, Daniel P. Cornell.

For Hillsdale county:

Horatio P. Parmale, Ely H. Reynolds, Jerome L. Reynolds, Albert B. Slocum, Willard F. Day, Ethel Judd, John M. Osborne, Albert G. Ellis, William H. Sherman, F. Byron, Cutler.

For Houghton county:

Edward F. Douglass, Thomas M. McEntee, James B. Moss, Clarence E. Eddie, John S. Blain, John N. Wright, David Pennock.

For Huron county:

Lewis Bonnel, Charles G. Larned.

For Ingham county:

Levi Godding, Melvin D. Osband, Stephen D. Bingham, Horace Angell, George P. Sanford, Albert E. Cowles, James A. Bascom.

For Isabella county:

William R. Robbins.

For Ionia county:

Alexander W. Dodge, John Friend, William H. White, Alphonzo Button, Charles E. Lewis, Edwin F. Root.

For Jackson county:

William S. Moore, Philo B. Abbey, A. O. Bell, Robert E. Pickett, Ceril B. Wade, Alonzo Bennett, John W. Webster, Jerome B. Green, James M. Holland, William Root, Charles B. Kress, William B. Thorne, James D. Cleland, Edward Dodd, Reuben Heath, Caleb T. Fuller, Albert G. Ayer, Chauncey M. Crego, Moses A. McNaughton, Albert A. Dorrance.

For Kalamazoo county:

Moses Kingsley, John M. Edwards, Edwin W. DeYoe, Alexander Buell, George W. Kinnecott, Joseph O. Seeley, Rollin C. Dennison, William J. Handy, Frank M. Clark, Alonzo S. Sprague, Charles W. Barber, Jerome T. Cobb, Zachariah Fletcher, Samuel F. Strong, Henry Wager, Thomas S. Cobb, James M. Neasmith, Orman H. Gregory, Sylvester Fredenburgh.

For Kent county:

Samuel S. Chipman, John Coffee, William Thornton, John D. Edwards, Caleb W. Robinson, Wright LeRoy, Arba Welman, Almon M. Ellsworth, Smith Lapham.

For Keweenaw county:

Robert H. Gulick.

For Lapeer county:

Franklin E. Gould, Henry K. White, Daniel C. Bacon.

For Lenawee county:

Titus Babcock, Josephus O. Shelden, Walter Robinson, William W. Osborn, Scoville C. Stacy, Lucius Lilley, Cornelius S. Randall, Arthur Sharp, Thomas J. Hiller, Israel S. Hodges, Daniel B. Raymond, Andrew J. Hunter, Samuel Wilson, Charles Meyer, Norman Geddes, James Geddes, Leonard G. Hall, William Weaver, Albert J. Chappell, Samuel Kimball.

For Livingston county:

Dennis Lewis, George Fowler, Ira P. Bingham, Albert S. Whedon, Henry P. Crouse, Herman C. House, H. Snyder, Conrad Haynes.

For Mackinac county:

William M. Johnson.

For Macomb county:

Burton W. Seeley, James M. Vaughan, Josiah T. Robinson, David E. Earl, John L. Beebe, George E. Adair, Newton H. Roberts, Jacob H. Crawford, Ira S. Rice, Lewis Groesbeck, William W. Andrews, Sardis H. Burlingham, Carlos W. Brown, Luman G. Crawford, Watson Loud, George Washer, Jacob Shook, Jacob Hetchlee, John Wordleaff.

For Menominee county:

E. S. Ingalls.

For Midland county:

Russell Atwater.

For Monroe county:

Lewelling W. Whitney, Robert Tulford, Jarvis Eldred, William J. Manning, Lorenzo Arzeno, Harmen Allen, Dykes McLachlin, Asa C. Lefford, Henry Boeckler.

For Muskegon county:

Ira O. Smith, William H. Barton, Hiram C. Tyler, Stephen C. Hall.

For Ontonagon county:

John H. Welch, Daniel P. Waite.

For Newaygo county:

Edgar L. Gray, William D. Fuller.

For Ottawa county:

John Pintlar, Charles J. Pfaff.

For Oakland county:

Joseph R. Bowman, W. I. Beardsley, Clark B. Turner, John G. Crawford, Josiah H. Hulett, Charles K. Carperter, Clement P. Rust, Sloan Cooley, Loren L. Treat, Oscar G. Armstrong, John O. Emery, Luther Stanley, William P. Warring, Charles B. Boughner, Henry C. Linabury, Joseph Cauffman, David A. Wright, Leicester B. Dodge, John J. Knox, Peter T. Morris.

For Saginaw county:

William P. Allen, H. H. Holt, Reuben W. Andrews, James J. Fowler, James R. Taylor, Thomas S. Sprague, Michael H. Freeman, Charles D. Little, Sylvester Pray, John W. Hunt, George Schmidt, Horace Jerome, H. Herbert Hoyt, James W. Clark, Philip Parry, Philip V. M. Botsford, Myndert W. Quackenbush, Aaron W. Eggert, Theron T. Hubbard, William J. Bartow.

For Sanilac county:

Joseph T. Moss, Samuel W. Abbott, John H. Beckett, Chauncey Allen, Robert G. Brown.

For Shiawassee county:

Spencer B. Raynole.

For St. Clair county:

Edgar White, Abram L. Stebbins, Augustus C. Gray, Dewitt C. Walker.

For St. Joseph county:

James B. Duncan, William Sadler, Edwin H. Lothrop, George B. Reed, L. B. Rich, James E. Kelsey, Lewis A. Sealand, John W. Brainard, Alfred R. Metcalf, John Kirby, Malen W. Hobart, Hiram Lindsley, Charles M. Martin, Hiram Betts, J. W. Pike, James B. Dunkin, William Harrington.

For Tuscola county:

Mark D. Seeley, Duncan Clark.

For Van Buren county:

Charles J. Monroe, John Farbell, Henry D. Wilbor.

For Washtenaw county:

Embree Bullard, Isaac B. Hathaway, Washington Weeks, Lorenzo D. Hale, Henry M. Cheever, William E. Cheever, James A. Dwight, Charles H. Dennison, Densmore Cramer, William S. Atwood, Simeon G. Rowley, Charles S. Gregory, James McMahon, Henry H. Finley, John K. Yokum, Ezekiel M. Cole, Solomon Brown, Isaac B. Hathaway, Andrew J. Leetch, Jacob L. Wallace, H. P. Glover, Edward F. Uhl, J. Willard Babbitt, Thomas Ninde, Chauncey Joslin, Charles H. Richmond.

For Wayne County:

Horace M. Hale, George Hancock, James A. Carpenter, Hoyt Post, James H. Fairchilds, Asa D. Dickinson, Alex. G. Wilson, Jonathan F. Ogden, George Jerome, Jr., William N. Ladew, Eardley Wells, John L. Harper, Frank G. Smith, Charles Ketchum, Jephtha H. Parrish, Nathaniel D. Redmond, Jerome T. Johnson, Frederick Carlisle, Henry Langley, Edward Brooks, Israel J. Beniteau, George Hancock, Joseph F. Lobdell, Edward Beltwood, Peter B. Austin, Alexander T. Campau, Theodore J. Campau, John T. Meldrum, Oliver C. Abeel, J. M. Fitch, Edwin B. Wright, George W. Pomeroy, James A. Cargill, Romeyne Murray, Charles W. Valentine, Lucien D. Jenks, Samuel Crawford.

AUSTIN BLAIR.

The communication was referred to the committee on executive business.

The executive session closed.

SENATE CHAMBER,
Lansing, February 4, 1864. }

IN EXECUTIVE SESSION.

The executive committee submitted the following report.

The committee on Executive business, to whom was referred certain nominations by the Governor, for the office of Notary Public, have had the same under consideration, and directed the same to be reported back with the recommendation that the Senate do advise and consent thereto.

WM. A. CLARK,

Chairman.

The report was accepted and the committee discharged.

The Senate advised and consented to the nominations, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,

Mr. French,
Gidley,

Mr. Landon,
Mears,

Blackman,
Buell,
Clark,
Croswell,
Divine,
Dow,

Green,
Grosvenor,
Jay,
Jerome,
Lamb,

Monroe,
Parker,
Robison,
Wait,
Watkins,

22

NAYS.

0

MESSAGE FROM THE GOVERNOR.

The President announced the following:

EXECUTIVE OFFICE,
Lansing, February 4, 1864. }

To the Senate:

I hereby nominate Alonzo Bennett, of Jackson county, to the office of Inspector of the State Prison, his term of office to commence on the 6th day of February inst.

AUSTIN BLAIR.

On motion of Mr. French,

The Senate advised and consented to the nomination made by the Governor, by yeas and nays, as follows:

YEAS.

Mr. Adair,
Babcock,
Blackman,
Buell,
Clark,
Croswell,
Divine,
Dow,

Mr. French,
Gidley,
Grosvenor,
Hewett,
Jay,
Jerome,
Lamb,

Mr. Landon,
Mears,
Monroe,
Parker,
Robison,
Wait,
Watkins,

22

NAYS.

0

The executive session closed.

INDEX.



INDEX

TO THE

SENATE JOURNAL.

SENATE BILLS.

	PAGE.
1. A bill to confirm and legalize the tax and tax roll of the township of Sheridan, in the county of Calhoun, for the collection of the tax voted, assessed, and spread on said roll, for the purpose of raising money voted in said township for paying bounties for its quota of volunteers, in the military service of the United States;	
introduced and referred,.....	19
reported and laid on table,.....	70
2. A bill to confirm and legalize the tax and tax roll of the township of Albion, in the county of Calhoun, for the collection of the tax voted, assessed and spread on said roll, for the purpose of raising money voted in said township for paying bounties for its quota of volunteers in the military service of the United States;	
introduced and referred,.....	20
3. A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections 45 and 61, of chapter 6, of the compiled laws, and to amend act 177, of the session laws of 1859, by changing the No. of section 30, and adding a new section thereto;	
introduced and referred,.....	20
reported and laid on the table,.....	41
taken from the table and made special order,..	97
4. A bill to provide for the preparation of the soldier's national cemetery at Gettysburg in the State of Pennsylvania;	
reported by committee on finance and referred to committee whole,.....	28
reported back and passed,.....	45

	PAGE.
4. A bill to provide for the preparation of the soldiers' national cemetery at Gettysburg, in the State of Pennsylvania;	
returned from the House,.....	90
reported enrolled,.....	110
notice of approval,.....	254
5. A bill to authorize the township of South Haven, in Van Buren county, and other townships in the counties of Van Buren and Allegan, to make loans and levy taxes for the construction and improvement of the harbor at the mouth of South Black river, in said township of South Haven;	
reported, and referred to committee whole,....	29
reported back,.....	53
passed,.....	54
returned from the House,.....	102
reported enrolled,.....	184
notice of approval,.....	254
6. A bill to secure the elective franchise to the qualified voters of the army and navy from the State of Michigan;	
reported by majority of committee on soldiers' suffrage, and laid on table,.....	29
report of minority of committee on,.....	70
taken from the table and made special order,..	98
7. A bill to authorize Bay county to issue and loan its bonds to aid the construction of a railroad from Bay City to East Saginaw;	
introduced and referred,.....	45
reported and referred to committee whole,....	47
reported back,.....	53
passed,.....	54
returned from the House,.....	103
reported enrolled,.....	184
notice of approval,.....	254
8. A bill to authorize the several counties, cities, townships and incorporated villages, on the line of the Grand Rapids and Indiana railroad, to aid in the construction of said road;	
introduced and referred,.....	49
reported and referred to committee whole,....	56
9. A bill to legalize certain indebtedness incurred by the township of Hillsdale, in the county of Hillsdale, to pay a bounty to volunteers under the President's proclamation of Oct. 17, 1863;	
introduced and referred,.....	50
reported and laid on table,.....	70

10. A bill authorizing the payment of bounties to volunteers in the service of the United States;
reported as a substitute and referred to committee whole,..... 70
made special order,..... 98
reported on,..... 99
reported on,..... 106
reported back and ordered to third reading.... 117
passed,..... 118
returned from the House,..... 200
committee of conference appointed on,..... 205
notice from the House,..... 211
report of conference committee,..... 215
referred to committee on enrollment,..... 238
reported enrolled,..... 262
notice of approval,..... 263
11. A bill to legalize the action of certain counties in reference to the payment of bounties to persons mustered into the United States service;
introduced and referred to committee whole,.. 104
reported back, ordered to third reading..... 145
passed,..... 178
12. A bill to authorize the several townships, cities and incorporated villages in any of the counties on the line of the Amboy, Lansing and Traverse Bay railroad, to aid in the construction of said railroad;
introduced and referred,..... 104
reported and referred to committee whole,.... 110
reported back,..... 146
ordered to third reading,..... 147
passed,..... 176
returned from the House,..... 228
reported enrolled,..... 261
notice of approval,..... 264
13. A bill to authorize certain townships in St. Joseph county to subscribe for stock in a corporation now in existence, or to be hereafter organized, to reconstruct the railroad from Constantine to Three Rivers, or to aid the same by loans or donations;
introduced and referred,..... 112
reported and referred to committee whole,.... 151
reported and recommitted,..... 212
reported and ord. to third reading,..... 219
passed,..... 226
returned from the House,..... 242
reported enrolled,..... 262
notice of approval,..... 263

	Page.
14. A bill to authorize the payment of bounties by townships or cities in Oakland county, to persons mustered into the service of the United States;	
introduced and referred to com. whole,.....	118
reported back,.....	145
laid on the table,.....	146
15. A bill to amend an act entitled an act to amend sections 19, 20 and 21 of an act entitled an act to provide for the incorporation of railroad companies, approved February 15, 1859;	
introduced and passed,.....	113
returned from the House,.....	139
reported enrolled,.....	246
notice of approval,.....	253
16. A bill to authorize manufacturing corporations in the counties of Saginaw and Bay, to take stock in plank road companies and associations for the improvement of Saginaw river;	
introduced and referred,.....	113
reported and referred to com. whole,.....	120
ordered to third reading,.....	192
passed,.....	195
returned from the House,.....	209
reported enrolled,.....	246
notice of approval,	252
17. A bill to extend the time for the collection of taxes in the townships of Hudson and Rollin, in the county of Lenawee, and the township of Pittsford, in the county of Hillsdale, for the year 1863;	
introduced and passed,.....	114
returned from the House,.....	133
reported enrolled,.....	245
notice of approval,.....	252
18. A bill to lay out and establish a State road from the terminus of the Saginaw and Gratiot State road, to the Muskegon river, in Newaygo county;	
introduced and referred,.....	115
reported and referred to com. whole,.....	134
19. A bill to lay out and establish a road to be known as the White Rock and Bingham State road;	
introduced and referred to com. whole,.....	116
reported back and ordered to third reading,...	213
20. A bill to extend the time for the collection of taxes in the city of Lansing, for the year 1863;	
introduced and passed,.....	116
returned from the House,.....	121

	PAGE.
20. A bill to extend the time for the collection of taxes in the city of Lansing, for the year 1863;	
reported enrolled,.....	246
notice of approval,.....	253
21. A bill to extend the time for the collection of taxes in the township of Fairfield, in the county of Lenawee;	
introduced and ordered to third reading,.....	117
passed,.....	118
returned from the House,.....	132
reported enrolled,.....	246
notice of approval,.....	253
22. A bill to extend the time for the collection of taxes in the township of Ingersoll, in the county of Midland;	
introduced and referred,.....	121
reported and ordered to third reading,.....	138
passed,.....	177
returned from the House,.....	210
reported enrolled,.....	246
notice of approval,.....	253
23. A bill authorizing a war bounty loan;	
introduced and referred to committee whole,..	136
reported back and ordered to third reading,..	217
passed,.....	222
returned from the House,.....	237
reported enrolled,.....	262
notice of approval,	263
24. A bill to provide for the interest on the war bounty loan;	
introduced and referred to committee whole,..	136
reported back and ordered to third reading,..	217
passed,.....	222
returned from the House,.....	237
reported enrolled,.....	261
notice of approval,.....	264
25. A bill to extend the time for the collection of taxes, for the year 1863, in the township of Holly, in the county of Oakland;	
introduced and ordered to third reading,.....	141
passed,.....	143
returned from the House,.....	173
reported enrolled,.....	246
notice of approval,.....	253
26. A bill to extend the time for the collection of taxes, for the year 1863, in the township of Woodstock, in the county of Lenawee;	
introduced and ordered to third reading.....	141

	Page.
26. A bill to extend the time for the collection of taxes for the year 1863, in the township of Woodstock, in the county of Lenawee;	
passed,.....	143
returned from the House,.....	173
reported enrolled,.....	246
notice of approval,.....	253
27. A bill to extend the time for the collection of taxes in the township of Romulus, in the county of Wayne, and in the township of Lapeer, in the county of Lapeer, for the year 1863;	
introduced and ordered to third reading,.....	141
passed,.....	144
returned from the House,.....	173
reported enrolled,.....	246
notice of approval,.....	253
28. A bill to authorize the electors of the township of Rollin, in the county of Lenawee, at the annual township meeting in 1864, to determine by vote whether they will refund to the township treasurer of said township certain moneys lost by him by reason of the failure of the People's Bank of Hudson;	
introduced and referred,.....	212
reported and ordered to third reading,.....	235
passed,.....	248
returned from the House,.....	255
reported enrolled,.....	261
notice of approval,.....	263
29. A bill to amend section 1, of an act entitled "an act to authorize the payment of a State bounty to volunteers mustered from this State into the military service of the United States;	
introduced and ordered to third reading,.....	237
passed,.....	250
returned from the House,.....	255
reported enrolled,.....	262
notice of approval,.....	263
30. A bill to amend an act entitled "an act to organize the county of Leelanaw, and to define the county of Benzie;	
introduced,.....	258
passed,.....	259
returned from the House,.....	260
reported enrolled,.....	262
notice of approval,.....	263

HOUSE BILLS.

PAGE

1. A bill to amend an act entitled an act to authorize the city of Jackson, and the several townships of Jackson county, to pledge their credit, and the county of Ingham to raise by tax, or borrow money, to aid in the construction of a railroad from Jackson to Lansing, approved March 20, 1863;
 - received and referred,..... 42
 - reported,..... 43
 - passed,..... 44
2. A bill to amend section 17 of an act to amend an act entitled an act to provide for the formation of companies to construct canals or harbors, and improve the same, approved March 13, A. D. 1861, and an act amendatory thereto, approved January 18, 1862, approved March 20, 1863;
 - received and referred,..... 48
 - reported and referred to com. whole,..... 138
 - reported back and recommitted,..... 213
 - passed,..... 221
3. A bill to repeal chapter 122 of the revised statutes of 1846, and the amendments thereto, and provide for the collection of demands against water-craft,
 - received and referred,..... 48
 - reported,..... 51
 - referred to com. whole,..... 52
 - reported back,..... 53
 - passed,..... 55
4. A bill to authorize the formation of corporations for the running, booming and rafting of logs;
 - received and referred;..... 52
 - reported and ref. to com. whole,..... 57
 - reported back,..... 92
 - passed,..... 93
5. A bill to authorize the city of Battle Creek and the several townships of Calhoun and Barry counties, to pledge their credit to aid in the construction of a railroad from the city of Battle Creek, in the county of Calhoun, to the village of Hastings, in the county of Barry;
 - received and referred,..... 89
 - reported and referred to committee of whole,.. 100
 - reported back and ordered to third reading,.. 146
 - passed,..... 178

	Page.
6. A bill to amend an act entitled "an act to revise the charter of the city of Detroit," approved February 5, 1857;	
received and referred,.....	89
reported and referred to com. of whole,.....	95
reported back and ordered to third reading,..	98
passed,.....	105
7. A bill to authorize the several townships in any of the counties on the line of the proposed railroad, of the Grand Rapids and Indiana railroad company, to aid in the construction of said railroad;	
received and referred,.....	100
reported and referred to com. of whole,.....	135
reported back and ordered to third reading,..	146
passed,.....	179
8. A bill to provide for the payment of the officers and members of the Legislature, for the extra session for the year 1864;	
received and referred,.....	100
reported and referred to com. whole,.....	109
reported back and ordered to third reading,...	120
passed,.....	125
9. A bill to authorize the several townships of Kalamazoo and St. Joseph counties to subscribe stock in the Schoolcraft and Three Rivers railroad company;	
received and referred,.....	100
reported and ref. to com. whole,.....	151
reported back and recommitted,.....	213
reported and ordered to third reading,.....	234
passed,.....	247
10. A bill to accept the grant of lands made to the State of Michigan by the United States, to aid in the construction of a military road from Fort Wilkins, Copper Harbor, to the Wisconsin State line, by way of Houghton, on Portage Lake, and to provide for the laying out and construction of the same;	
received and ref. to com. whole,.....	100
reported back and ord. to third reading,.....	120
passed,.....	125
11. A bill to authorize the counties of Jackson and Eaton, and the cities and townships of such counties, and of Barry and Kent, the townships of Onondaga and Leslie, in Ingham county, and Leighton and Wayland, in Allegan county, to pledge their credit in aid of the construction of a railroad from Jackson to Grand Rapids;	
received and referred,.....	107

11. A bill to authorize the counties of Jackson and Eaton, and the cities and townships of such counties, and of Barry and Kent, the townships of Onondaga and Leslie, in Ingham county, and Leighton and Wayland, in Allegan county, to pledge their credit in aid of the construction of a railroad from Jackson to Grand Rapids;
reported and ref. to com. whole,..... 109
com. discharged and bill recommitted,..... 142
reported and ordered to third reading,..... 149
passed,..... 181
12. A bill to authorize the several townships in the counties of Livingston, Oakland, Washtenaw and Wayne, to pledge their credit, and the county of Livingston to raise by tax or borrow money, to aid in the construction of a railroad from some point near the city of Detroit, to Howell, in the county of Livingston;
received and ref to com. whole,..... 107
reported back and ord. to third reading,..... 213
passed,..... 219
13. A bill to legalize the tax roll of the township of Sanilac, in the county of Sanilac, for the year 1863, and to extend the time for the collection of the taxes therein;
received and ordered to third reading,..... 122
passed,..... 131
14. A bill to legalize the tax roll of Dallas township, in Clinton county, for the year A. D. 1863, and extend the time for the collection of taxes of said township;
received and ordered to third reading,..... 122
passed,..... 131
15. A bill to extend the time for the collection of taxes in the township of Lyons, in Ionia county;
received and ordered to third reading,..... 122
passed,..... 126
16. A bill to extend the time for the collection of taxes in the township of Fenton, in the county of Genesee, for the year eighteen hundred and sixty-three;
received and ordered to third reading,..... 122
passed,..... 126
17. A bill to extend the time for the collection of taxes in the township of Warren, county of Macomb, for the year eighteen hundred and sixty three;
received and ordered to third reading,..... 122
passed,..... 130

	Page.
18. A bill to extend the time for the collection of taxes in the township of Chesterfield, in the county of Macomb, for the year eighteen hundred and sixty-three; received and ordered to third reading,.....	122
passed,.....	129
19. A bill to extend the time for the collection of taxes for the year 1863, in the several townships of the county of Allegan;	
received and ordered to third reading,.....	123
passed,.....	130
20. A bill to extend the time for the collection of taxes in the township of Deerfield, in the county of Livingston, for the year 1863;	
received and ord. to third reading,.....	123
passed,.....	127
21. A bill to extend the time for the collection of taxes in the township of Richland, county of Kalamazoo, for the year 1863;	
received and ord. to third reading,.....	123
passed,.....	128
22. A bill to extend the time for the collection of taxes in the city of Detroit, for the year 1863;	
received and ordered to third reading,.....	124
passed,.....	129
23. A bill to amend section one of "an act providing for a re-survey of a portion of the Grand Rapids and Muskegon State road, and appropriation of swamp land for the improvement thereof," approved March 20th, 1863;	
received and referred,.....	124
reported and ref. to com. whole,.....	185
reported back and ord. to third reading,.....	218
passed,.....	227
24. A bill to provide for the drainage and reclamation of swamp lands by means of State road and ditches, from Muir, in Ionia county, to the north line of Isabella county;	
received and referred,.....	124
reported and ref. to com. whole,.....	186
reported back,.....	217
ordered to third reading,.....	218
passed,.....	223
25. A bill to extend the time for the collection of taxes in the township of Handy, in the county of Livingston, for the year 1863;	
received and ordered to third reading,.....	124
passed,.....	127

	PAGE
26. A bill to legalize the organization of the village of Fenton, in the county of Genesee, and to legalize certain acts of the board of trustees of said village;	
received and referred,.....	124
reported and ordered to third reading,.....	138
passed,.....	177
27. A bill to extend the time for the collection of taxes in the townships of Greenfield and Gross Point, in the county of Wayne, for the year 1863;	
received and ordered to third reading,.....	124
passed,.....	128
28. A bill to provide for the drainage and reclamation of swamp lands by means of a State road and ditches, from Alma, in Gratiot county, via Maple Rapids; to the south line of Clinton county;	
received and referred,.....	138
substitute for, reported and adopted,.....	188
substitute referred to com. whole,.....	189
reported back,.....	217
ordered to third reading,.....	218
passed,.....	223
29. A bill to lay out and improve a State road, to be known as the Genesee and Tuscola State road;	
received and referred,.....	139
reported and referred to com. whole,.....	186
reported back,.....	217
ordered to third reading,.....	218
passed,.....	225
30. A bill to amend an act entitled "an act further to preserve the purity of elections, and guard against the abuse of the elective franchise, by a registration of electors," approved February 14, 1859;	
received and referred,.....	139
reported and ordered to third reading,.....	184
passed,.....	193
31. A bill to provide for laying out and establishing a State road, in the counties of Lapeer and Tuscola;	
received and referred,.....	139
substitute for, reported and adopted,.....	188
substitute referred to com. whole,.....	188
reported back,.....	217
ordered to third reading,.....	218
passed,.....	224
32. A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, in the counties of Sanilac and Huron;	
received and referred,.....	140

	PAGE
32. A bill to provide for the drainage and reclamation of swamp lands, by means of a State road and ditches, in the counties of Sanilac and Huron;	
reported and referred to com. whole,.....	185
reported back and ordered to third reading,..	218
passed,.....	225
33. A bill to lay out and establish a State road from the terminus of the Saginaw and Gratiot State road, to the Muskegon river, in Newaygo county;	
received and referred,.....	140
reported and referred to com. whole,.....	188
reported back,.....	217
ordered to third reading,.....	218
passed,.....	224
34. A bill to lay out and establish a road, to be known as the White Rock and Bingham State road;	
received and referred,.....	140
reported and referred to com whole,.....	187
reported back,.....	213
ordered to third reading,.....	214
passed,.....	219
35. A bill to legalize the action of the board of school inspectors of the township of Portage, Houghton county, and for other purposes;	
received and referred,.....	140
reported and ordered to third reading,.....	147
lost,.....	180
reconsidered and laid on table,.....	180
taken from table,.....	191
passed,.....	192
36. A bill to provide for the drainage and reclamation of swamp lands, by means of a road to be known as the East Saginaw and Junction State road;	
received and referred,.....	140
reported and referred to com. whole,.....	152
reported back,.....	217
ordered to third reading,.....	218
passed,.....	226
37. A bill to provide for laying out and constructing a swamp land State road,* in the county of Ionia, to be known as the Ionia and Smyrna State road;	
received and referred,.....	140
reported and referred to com. whole,.....	187
reported back,.....	217
ordered to third reading,.....	218
passed,.....	227

38. A bill to enable the qualified electors of this State, in the military service, to vote at certain elections, and to amend sections forty-five and sixty-one, of chapter six, of the compiled laws;
received and referred to com. whole,..... 174
reported on,..... 183
reported back,..... 197
passed,..... 198
39. A bill to authorize the township of Lafayette, in the county of Van Buren, to raise by tax, or loan money to aid in the construction of a railroad from the village of Paw Paw, in said county, to the village of Lawton, or some other point on the Michigan Central railroad;
received,..... 189
ordered to third reading,..... 190
passed,..... 220
40. A bill to authorize manufacturing companies to amend their articles of association;
received,..... 189
referred,..... 190
reported and ordered to third reading,..... 212
passed,..... 220
41. A bill supplementary to an act to provide for recording United States revenue stamps affixed to instruments authorized by law to be recorded, approved March 14, 1863;
received,..... 189
ordered to third reading,..... 190
passed,..... 194
42. A bill to provide temporary additional compensation to certain subordinate officers of the State Prison, for the year commencing December 1, 1863;
received and referred,..... 191
reported and ordered to third reading,..... 211
passed,..... 222
43. A bill supplementary to section 19 of an act entitled "an act disposing of certain grants of land made to the State of Michigan for railroad purposes, by act of Congress, approved June third 1856," approved February 14, 1857, and to an act approved January 16, 1862;
received and ordered to third reading,..... 191
passed,..... 196

	PAGE.
44. A bill authorizing the township board of the township of Saline, Washtenaw county, to levy, assess and collect upon the taxable property of said township the amount of bonds issued by said township board for bounty purposes;	
received and referred,.....	205
reported and ordered to third reading.....	236
passed,.....	249
45. A bill to authorize the several townships in the counties of Ottawa, Allegan, Van Buren and Berrien, to pledge their credit in aid of the construction of a railroad from Grand Haven to New Buffalo;	
received and referred,.....	206
reported and ordered to third reading,.....	236
passed,.....	251
46. A bill to authorize the Michigan Salt Company to carry on its business in the counties of Saginaw and Bay;	
received,.....	207
referred,.....	208
47. A bill to authorize the several townships of the counties of Kent, Ottawa and Muskegon, to aid any railroad company now in existence, or that may be hereafter organized, in the construction of a railroad from the village of Muskegon to some convenient point on the Detroit and Milwaukee railroad;	
received,.....	207
referred,.....	208
reported,.....	235
ordered to third reading,.....	236
passed,.....	249
48. A bill to authorize certain military officers to administer oaths and take acknowledgments;	
received and ord. to third reading,.....	208
lost,.....	220
reconsidered,.....	244
lost,.....	244
49. A bill to legalize the action of the township of York in relation to raising volunteers;	
received and referred,.....	208
reported and ordered to third reading,.....	233
passed,.....	251
50. A bill to amend section 5 of an act to authorize and provide for re-platting the village of Hastings, in the county of Barry;	
received,.....	229
referred,.....	230

PAGE.

50. A bill to amend section 5 of an act to authorize and provide for re-platting the village of Hastings, in the county of Barry;
 reported and ord. to third reading,..... 283
 passed,..... 250
51. A bill to legalize the proceedings of a township meeting of the electors of the township of Lodi, in the county of Washtenaw, providing for the filling of the quota of said township under the last call for 300,000 men, and to authorize the auditing and allowance of claims against said township, and to authorize said township to levy and collect by tax the amounts hired, advanced and expended under the authority of said township meetings;
 received and referred,..... 280
52. A bill to amend sections 1 and 4, of chapter 58, of the compiled laws;
 received and referred,..... 230
 reported and ordered to third reading,..... 234
 passed,..... 247
53. A bill to legalize the assessment roll of the township of Superior, in the county of Washtenaw, for the year 1863;
 received and ordered to third reading,..... 239
 passed,..... 250
54. A bill to extend the time for the townships of Kalamazoo and Comstock, in the county of Kalamazoo, to avail themselves of the provisions of an act entitled an act to legalize the action of townships, cities and counties, in raising bounties for volunteers, approved March 7, 1863;
 received,..... 256
 passed,..... 257

SENATE JOINT RESOLUTIONS.

1. Joint resolution relative to the construction of an artesian well at the State Reform School;
 reported and referred to com. whole,..... 52
 reported back and ordered to third reading,... 91
 passed,..... 92
 returned from the House,..... 102
 reported enrolled,..... 184
 notice of approval,..... 254

	PAGE.
2. Joint resolution to authorize the Governor to convey certain lands to certain Indians, for whom the same are held in trust;	
introduced and referred,.....	181
reported and ordered to third reading,.....	152
passed,.....	181
returned from the House,.....	206
reported enrolled,.....	245
notice of approval,.....	253
3. Joint resolution relative to the meeting of the enrollment boards;	
introduced and passed,.....	244
returned from the House,.....	257
reported enrolled,.....	262
notice of approval,.....	263

HOUSE JOINT RESOLUTIONS.

1. Joint resolution expressing confidence in the President, and nominating Abraham Lincoln for a second term;	
received and passed,.....	101
2. Joint resolution relative to the relief of the families of volunteers mustered from this State into the military or naval service of the United States, or of this State, and declaratory of the meaning of act No. 173, of the session laws of 1863, passed for that purpose;	
received and referred,.....	141
reported and ord. to third reading,.....	150
passed,.....	180
motion to reconsider lost,.....	182
3. Joint resolution relative to the distribution of the laws, journals and documents of the extra session of the Legislature of the year 1864;	
received and ordered to third reading,.....	190
passed,.....	196
4. Joint resolution relative to the binding of the journals, documents and laws of the extra session of the Legislature, for the year 1864;	
received and ord. to third reading,.....	190
passed,.....	195
5. Joint resolution for the relief of Henry McKenzie;	
received and referred,.....	231
reported and ordered to third reading,.....	234
passed,.....	247

6. Joint resolution to authorize the Board of State Auditors to audit and allow the claim of William Beard and others, in the matter of the improvement of navigation over the sand flats of the Muskegon river, and to authorize the Commissioner of the State Land Office to issue patents of State swamp land therefor;	
received and referred,.....	242
reported and ord. to third reading,.....	245
passed,.....	252

SENATE CONCURENT RESOLUTIONS:

Authorizing the committees of the two Houses, to act as a joint committee;	
adopted,.....	10
returned from the House,.....	12
Relative to printing bills and joint resolutions;	
adopted,.....	21
returned from the House,.....	42
Relative to printing Governor's message, for distribution among the Michigan regiments and batteries in the field;	
reported and adopted,.....	26
returned from the House,.....	49
Relative to printing report of select committee on bounties;	
adopted,.....	96
returned from the House,.....	172
Requesting the Governor to recommend legislation relative to the bail of John McKinney;	
adopted,.....	97
returned from the House,.....	111
Relative to adjournment;	
laid on the table,.....	114
Relative to compiled laws;	
adopted,.....	170
Relative to printing and distribution of laws relating to bounties;	
adopted,.....	175
returned from the House,.....	241
Relative to compiling and indexing journals and documents of the Legislature;	
introduced and laid on table,.....	176
adopted,.....	192
returned from the House,.....	209

	PAGE.
On the State of the Union;	
adopted,.....	243
returned from the House,.....	255
HOUSE CONCURRENT RESOLUTIONS.	
Requesting the Secretary of State to forward 250 copies of the Governor's message to each regiment, and 50 copies to each battery of Michigan volunteers;	
received and concurred in,.....	13
reconsidered and referred,.....	19
reported back with substitute,.....	26
substitute for, adopted,.....	26
Requesting our Senators and Representatives in Congress to make an earnest effort to secure the early re- moval of B. H. Hill, A. A. P. M. G., from said office;	
received and referred,.....	89
reported,.....	231
concurred in,.....	232
Relative to the compiled laws;	
received and laid on the table,.....	112
taken from the table, and substitute offered,..	142
resolution and substitute referred,.....	143
reported with a substitute for all, and substi- tute adopted,.....	170
Relative to adjournment;	
received,.....	173
concurred in,.....	174
Relative to port folios;	
received,.....	174
lost,.....	175
Relative to printing and distribution of laws relating to bounties;	
received and concurred in,.....	207
Relative to printing and distribution of so much of the re- vised statutes and session laws as has reference to highway commissioners;	
received and concurred in,.....	238
Relative to the procuring and distribution of 5,000 copies of the law to enable the soldiers to vote;	
received and concurred in,.....	240
Relative to the printing and distribution of the law au- thorizing the payment of bounties to volunteers, and the joint resolution relative to volunteer family re- lief;	
received and concurred in,.....	240
Of thanks to our brave soldiers in the field;	
received and concurred in,.....	258

SENATE RESOLUTIONS.

	Page.
Relative to printing daily journals; adopted,	6
Relative to the printing, and distribution of 5,000 copies of Governor's message amongst the Michigan regi- ments in the field; adopted,	9
reconsidered,	18
referred,	19
reported with substitute,	25
substitute adopted,	26
Relative to Hon. S. W. Fowler; adopted,	10
Inviting resident clergy to open the daily sessions with prayer; adopted,	10
Directing State Printer to transmit journals and documents to publishers of newspapers; adopted,	11
On the death of Senator Robertson; adopted,	15
Instructing committee of inquiry relative to Senator Fow- ler, to make similar inquiry relative to Senator Rob- ison; adopted,	19
Instructing the judiciary committee to report a bill to le- galize bounties; lost,	22
Relative to stationery for the use of the Senate; adopted,	26
Requesting judiciary committee to report on constitution- ality of soldier's suffrage; adopted,	26
Requesting committee on military affairs to report on the expediency of passing a law to enable soldiers to vote; adopted,	27
Requesting the President to fill vacancies in standing com- mittees, by appointment; adopted,	28
Relative to printing 1,000 extra copies of the reports of the select committee on soldiers' suffrage; laid on the table,	45
Requesting judiciary committee to report on all laws rela- tive to furnishing relief to families of volunteers; adopted,	91

	PAGE
Instructing Finance committee to report the condition of the War Fund; adopted,.....	96
Suspending the rule requiring the reading of bills and joint resolutions to be on different days; adopted,.....	176
Relative to extra pay to fireman; adopted,.....	192
Limiting time of speaking; adopted,.....	192
Instructing Sec. of the Senate to transmit copies of the back journals, by mail, to Senators at their homes; adopted,.....	192
Relative to certificates for the payment of officers and members of the Senate; adopted,.....	200
Discharging committee of inquiry relative to Senator Fowler and Robison; adopted,.....	216
Tendering thanks to the President and President <i>pro tempore</i> of the Senate; adopted,.....	259
Tendering thanks to officers of the Senate; adopted,.....	259
Tendering thanks to citizens of Lansing; adopted,.....	240
Making appropriation for stationery to reporters; adopted,.....	240

PETITIONS, MEMORIALS, ETC.

By Mr. Adair,.....	
Babcock,.....	50, 134
Blackman,.....	47, 94
Buell,.....	18
Clark,.....	7, 51
Corbin,.....	
Crapo,.....	8, 116
Croswell,.....	94
Divine,.....	7, 50
Dow,.....	7
Fowler,.....	108, 147
French,.....	27, 28, 50, 51, 93,
Gidley,.....	
Green,.....	18
Grosvenor,.....	7, 18, 23, 28
Humphrey,.....	

PETITIONS, MEMORIALS, ETC.

	Page.
By Mr. Hewett,.....	18, 28, 50, 94,
Jay,.....	46, 56
Jerome,.....	7, 18, 23, 28, 46, 50, 56
Lamb,.....	46
Landon,.....	
Mears,.....	
Monroe,.....	8
Moore,.....	
Parker,.....	
Robison,.....	23
Wait,.....	23, 55, 99
Warner,.....	46
Watkins,.....	18, 23
President,.....	18, 23



INDEX

TO THE

EXECUTIVE JOURNAL.

	PAGE.
Notaries Public, nominated for, in the counties of—	
Allegan,	271
Alpena,	272
Antrim,	272
Barry,	272
Bay,	272
Berrien,	270, 272
Branch,	272
Calhoun,	269, 272
Cass,	269, 272
Clinton,	272
Eaton,	272
Genesee,	273
Grand Traverse,	273
Gratiot,	273
Hillsdale,	273
Houghton,	273
Huron,	273
Ingham,	273
Ionia,	273
Isabella,	269, 273
Jackson,	269, 274
Kalamazoo,	270, 274
Kent,	270, 274
Keweenaw,	274
Lapeer,	270, 274
Lenawee,	270, 274
Livingston,	274
Mackinac,	275
Macomb,	270, 275
Marquette,	269
Menominee,	275

	Page
Notaries Public, nominated for, in the counties of—	
Midland,	275
Monroe,	275
Muskegon,	275
Newaygo,	269, 275
Oakland,	270, 275
Ontonagon,	275
Ottawa,	275
Saginaw,	276
Sanilac,	276
Shiawassee,	276
St. Clair,	276
St. Joseph,	276
Tuscola,	276
Van Buren,	270, 276
Washtenaw,	276
Wayne,	269, 277
State Prison,	
nomination of Inspector of,	278

